



# KENTUCKY COURT OF JUSTICE RULES OF ADMINISTRATIVE PROCEDURE

## ***Part X: Real Property Management***

### ***Section II. Court Facilities Criteria***

*August 2005*



# Supreme Court of Kentucky

## ORDER

IN RE:

### **ADOPTION OF RULES OF ADMINISTRATIVE PROCEDURES OF THE COURT OF JUSTICE**

#### **PART X. COURT OF JUSTICE REAL PROPERTY MANAGEMENT**

\*\*\*\*\*

Pursuant to Sections 110(5)(b) and 116 of the Constitution, court facilities construction program development, criteria, and design and construction rules and standards for the Court of Justice shall henceforth be governed in accordance with the Rules of Administrative Procedures of the Court of Justice, Part X. Court of Justice Real Property Management, consisting of three (3) sections: a court facilities construction program development; court facilities criteria; and court facilities design and construction, which is attached hereto. Beginning with the Capital Construction Projects authorized by the 2005 General Assembly, all previous rules and orders regarding court facilities real property management are hereby amended in their entirety. This order is effective upon entry.

Entered August 9, 2005.

  
CHIEF JUSTICE





# COURT FACILITIES CRITERIA

**Summary.** Court of Justice Rules of Administrative Procedure have the force and effect of law in the Commonwealth of Kentucky. This Rule of Administrative Procedure of the Court of Justice establishes policy concerning buildings and supporting items used for programming the construction of Court Facilities, Court Support Facilities and Administrative Facilities within the Commonwealth of Kentucky which are supportable totally or in part with Commonwealth of Kentucky Administrative Office of the Courts funds.

**Applicability.** This Rule of Administrative Procedure of the Court of Justice applies Court of Justice supported facilities and activities.

**Supplementation.** Supplementation of this Rule of Administrative Procedure of the Court of Justice is prohibited without prior approval from the Chief Justice, Kentucky Supreme Court and the concurrences of the Court Facilities Standards Committee, and the Director, Commonwealth of Kentucky Admin. Office of the Courts, 100 Millcreek Park, Frankfort, Kentucky, 40601-9230.

**Internal Control System.** This Rule of Administrative Procedure of the Court of Justice contains internal control provisions but does not contain checklists for conducting internal control reviews. These checklists are contained in Court of Justice Rule of Administrative Procedure Part X., Section I., rogram Development.

**Interim Changes.** Interim changes are not official unless authenticated by the Director, Admin. Office of the Courts. Interim changes will be destroyed on the expiration date unless sooner superseded or rescinded. Updating and editing of this document shall be considered in four (4) year cycles.

**Suggested Improvements.** Users of this Rule of Administrative Procedure of the Court of Justice are encouraged to send comments and suggested improvements to the General Manager of Facilities, Administrative Office of the Courts, 100 Millcreek Park, Frankfort, Kentucky 40601-9230. Updating and editing of this document shall be considered in four (4) year cycles.

## Table of Contents

	<u>Para</u>	<u>Page</u>		<u>Para</u>	<u>Page</u>
<b>Chapter 1. General</b>		1	Space and Materials Criteria	1-5H	2
Purpose	1-1	1	Overview of Court Facilities Criteria	Figure 1-1	3
References	1-2	1	Overview of Supporting Fac. Criteria	Figure 1-2	4
Explanation of abbreviations and terms	1-3	1	Criteria Overview	Figure 1-3	4
Responsibilities and Authority	1-4	1	Deviation from Criteria Allowances	1-5I	5
Chief Justice	1-4A	1	State Project Funding Participation	1-5J	5
AOC General Manager of Facilities	1-4B	1	Items Which Are Not Supported with AOC Funds for Local-Owned Facilities	1-5K	5
Facilities-Related Matters	1-4C	1	Basis for Construction	1-5L	6
Implementation of Policy	1-4D	1	Basis for Project Scope	1-5M	6
Policy	1-5	1	Facility Design and Construction	1-5N	7
General	1-5A	1	Facility Usage for Local-OwnedFacilities	1-5O	7
Court Facilities & Court Support Facilities	1-5B	1	Facilities Operations, Maintenance, and Repair	1-5P	7
Court Facilities Purpose	1-5C	2	Facility Size Determination Data	1-6	7
Primary Facility Mission	1-5D	2	General	1-6A	7
Types of Court Facilities	1-5E	2	Needs Assessment	1-6B	7
Classes of Court Facilities	1-5F	2	Site Data	1-6C	7
State Support	1-5G	2	Utilities Data	1-6D	8

~Continued~

**Table of Contents - Continued**

	<b><u>Para</u></b>	<b><u>Page</u></b>		<b><u>Para</u></b>	<b><u>Page</u></b>
<b>Chapter 2. Rural Court Facilities</b>		9			
General	2-1	9	Rock Excavation for Building Foundations	3-3B	16
Standards	2-1A	9	Fine Grading and Seeing	3-3C	16
Leased and Interim Facilities	2-1B	9	Planting and Sodding	3-3D	16
Circulation	2-1C	9	Secure Elected Officials' Parking Areas	3-3E	17
Walls and Partitions	2-1D	9	Public and Staff Parking Areas	3-3F	17
Flexibility	2-1E	9	Service and Access Aprons	3-3G	17
General Construction of Building(s)	2-2	9	Security Fencing and Barriers	3-3H	17
General	2-2A	9	Utilities	3-3I	18
Interior Fire Protection	2-2B	10	Exterior Fire Protection	3-3J	18
Seismic Survivability	2-2C	10	Access Roads and Entrance Throats	3-3K	18
General Security Provisions	2-2D	10	Walks	3-3L	18
Counter Terrorism Considerations	2-2E	10	Flagpole	3-3M	18
Power Failure Survivability	2-2F	10	Lawn/Garden Sprinkler System	3-3N	18
Supporting Items	2-3	10	Urban and Metropolitan Facility Allowances	Table 3-1	19
Site Preparation	2-3A	10			
Rock Excavation for Building Foundations	2-3B	10	<b>Chapter 4. Court Satellite Facilities</b>		23
Fine Grading and Seeing	2-3C	10	General	4-1	23
Planting and Sodding	2-3D	10	Standards	4-1A	23
Secure Elected Officials' Parking Areas	2-3E	11	Leased and Interim Facilities	4-1B	23
Public and Staff Parking Areas	2-3F	11	Circulation	4-1C	23
Service and Access Aprons	2-3G	11	Walls and Partitions	4-1D	23
Security Fencing and Barriers	2-3H	11	Flexibility	4-1E	23
Utilities	2-3I	12	General Construction of Building(s)	4-2	23
Exterior Fire Protection	2-3J	12	General	4-2A	23
Access Roads and Entrance Throats	2-3K	12	Interior Fire Protection	4-2B	24
Walks	2-3L	12	Seismic Survivability	4-2C	24
Flagpole	2-3M	12	General Security Provisions	4-2D	24
Lawn/Garden Sprinkler System	2-3N	12	Counter Terrorism Considerations	4-2E	24
Rural Court Facility Allowances	Table 2-1	13	Power Failure Survivability	4-2F	24
			Supporting Items	4-3	24
<b>Chapter 3. Urban &amp; Metropolitan Court Facilities</b>		15	Site Preparation	4-3A	24
General	3-1	15	Rock Excavation for Building Foundations	4-3B	24
General	3-1	15	Fine Grading and Seeing	4-3C	24
Standards	3-1A	15	Planting and Sodding	4-3D	24
Leased and Interim Facilities	3-1B	15	Secure Elected Officials' Parking Areas	4-3E	25
Circulation	3-1C	15	Public and Staff Parking Areas	4-3F	25
Walls and Partitions	3-1D	15	Service and Access Aprons	4-3G	25
Flexibility	3-1E	15	Security Fencing and Barriers	4-3H	25
General Construction of Building(s)	3-2	15	Utilities	4-3I	26
General	3-2A	15	Exterior Fire Protection	4-3J	26
Interior Fire Protection	3-2B	16	Access Roads and Entrance Throats	4-3K	26
Seismic Survivability	3-2C	16	Walks	4-3L	26
General Security Provisions	3-2D	16	Flagpole	4-3M	26
Counter Terrorism Considerations	3-2E	16	Lawn/Garden Sprinkler System	4-3N	26
Power Failure Survivability	3-2F	16	Satellite Facility Allowances	Table 4-1	27
Supporting Items	3-3	16			
Site Preparation	3-3A	16			

~Continued~

**Table of Contents - Continued**

	<b><u>Para</u></b>	<b><u>Page</u></b>		<b><u>Para</u></b>	<b><u>Page</u></b>
<b>Chapter 5. Supreme Court and Court of Appeals Facilities</b>			<b>Chapter 7. Administrative Office of the Courts Facilities</b>		
General	5-1	29	General	7-1	39
Standards	5-1A	29	Standards	7-1A	39
Colocated Facilities	5-1B	29	Leased and Interim Facilities	7-1B	39
Leased and Interim Facilities	5-1C	29	Circulation	7-1C	39
Circulation	5-1D	29	Walls and Partitions	7-1D	39
Walls and Partitions	5-1E	29	Flexibility	7-1E	39
Flexibility	5-1F	29	General Construction of Building(s)	7-2	39
General Construction of Building(s)	5-2	29	General	7-2A	39
General	5-2A	29	Interior Fire Protection	7-2B	40
Interior Fire Protection	5-2B	30	Seismic Survivability	7-2C	40
Seismic Survivability	5-2C	30	General Security Provisions	7-2D	40
General Security Provisions	5-2D	30	Counter Terrorism Considerations	7-2E	40
Counter Terrorism Considerations	5-2E	30	Power Failure Survivability	7-2F	40
Power Failure Survivability	5-2F	30	Supporting Items	7-3	40
Supporting Items	5-3	30	Site Preparation	7-3A	40
Site Preparation	5-3A	30	Rock Excavation for Building Foundations	7-3B	40
Rock Excavation for Building Foundations	5-3B	30	Fine Grading and Seeing	7-3C	40
Fine Grading and Seeing	5-3C	30	Planting and Sodding	7-3D	40
Planting and Sodding	5-3D	31	Secure Officials' and Official		
Secure Elected Officials' Parking Areas	5-3E	31	Vehicle Parking Areas	7-3E	41
Public and Staff Parking Areas	5-3F	31	Staff Parking Areas	7-3F	41
Service and Access Aprons	5-3G	31	Public and Visitor Parking Areas	7-3G	41
Security Fencing and Barriers	5-3H	32	Service and Access Aprons	7-3H	42
Utilities	5-3I	32	Security Fencing and Barriers	7-3I	42
Exterior Fire Protection	5-3J	32	Utilities	7-3J	42
Access Roads and Entrance Throats	5-3K	32	Exterior Fire Protection	7-3K	42
Walks	5-3L	32	Access Roads and Entrance Throats	7-3L	42
Flagpole	5-3M	32	Walks	7-3M	43
Lawn/Garden Sprinkler System	5-3N	32	Flagpole	7-3N	43
Court of Appeals and Supreme Court Facility Allowances	Table 5-1	33	Lawn/Garden Sprinkler System	7-3O	43
			Administrative Office of the Courts Facility Allowances	Table 7-1	44
<b>Chapter 6. Leased and Interim Judicial Facilities</b>			<b>Chapter 8</b>		
General	6-1	37	<b>Cabinetry, Furnishings and Equipment</b>		
Leased and Interim Judicial Facilities Standards	6-2	37	General	8-1	49
General	6-2A	37	Cabinetry, Furnishings and Equipment Allowances	Table 8-1	49
Functional & Non-Functional Areas	6-2B	37			
Flexibility	6-2C	37			
General Security Provisions	6-2D	37			
Supporting Items	6-3	37			
Secure Officials' & Staff Parking	6-3A	37			
Public Parking Areas	6-3B	37			
Signage	6-3C	37			
Supreme Court Justice and Court of Appeals Judge Leased Chambers	Table 6-1	37			
Circuit, Family and District Court Judge Leased Chambers	Table 6-2	38			
Court Affiliated and Support Leased Offices	Table 6-3	38			

**This page intentionally left blank**

## Chapter 1. General

---

### 1-1. Purpose.

This Rule of Administrative Procedure of the Commonwealth of Kentucky Court of Justice establishes allowances for activities eligible for support through Administrative Office of the Courts contracts, either totally or in part, from Commonwealth of Kentucky funds administered by the AOC. Other Court of Justice facilities required on an infrequent basis, and for which allowances are not specifically provided here, will be established by allowances for similar facilities or will be determined on a case by case basis by the AOC General Manager of Facilities, with the approval of the AOC Director.

A. Figure 1-1 (on following page) depicts the general flow of information as it is used to form criteria.

### 1-2. References.

Required and related publications are listed in Appendix A.

### 1-3. Explanation of Abbreviations and Terms.

Abbreviations and special terms used in this regulation are explained in Appendix B.

### 1-4. Responsibilities and Authorities.

**A. Chief Justice:** All court facilities within the Commonwealth of Kentucky are subject to the direction and control of the Chief Justice of the Supreme Court

**B. AOC General Manager of Facilities:** The Commonwealth of Kentucky Administrative Office of the Courts (AOC) General Manager of Facilities has the responsibility to provide facilities for Court of Justice activities in conjunction with Local Agencies or other government or private agencies. The AOC General Manager of Facilities has the authority to accept or refuse existing facilities for Court of Justice use pursuant to KRS 26A. The AOC General Manager of Facilities may modify authorizations contained herein for individual projects so as to meet specific facility needs.

**C. Facilities-Related Matters:** The AOC General Manager of Facilities is responsible for all matters pertaining to Court Facilities and acts on behalf of the Chief Justice of the Supreme Court on facilities-related matters. The General Manager of Facilities, upon determining that the facilities provided for any court, judge, clerk, or support function are inadequate, even though the facilities are located in a public building, may, after giving a reasonable opportunity for adequate facilities to be provided, direct the court, judge or clerk to cease using the same and provide other accommodation.

**D. Implementation of Policy:** The AOC General Manager of Facilities implements facility allowances in accordance with this Rule of Administrative Procedure within the state for new construction, modifications of existing AOC supported facilities and the procurement of existing facilities for AOC supported functions.

### 1-5. Policy.

**A. General:** All courtrooms, judges' chambers and clerks' offices shall be located in public buildings, except that where adequate facilities are not available in public buildings or conveniently located, the AOC General Manager of Facilities may approve their location in some other appropriate place. Administrative Office of the Courts (AOC) policy regarding types of facilities, materials, installed equipment, and space authorizations eligible for AOC support in construction projects is as follows:

**B. Court Facilities and Court Support Facilities.** Only those facilities specified and space allocations in this publication are authorized for construction with AOC funds, a waiver granting an exception to these allowances can be obtained through the Facilities General Manager, Facilities Standards Committee and the Director of AOC. (specific justification is required for each proposed modification). Specific design/construction policy is set forth in Court of Justice Rule of Administrative Procedure Part X. Section III, Court Facilities Design and Construction. Procedure for exceptions is published in this Section II. of Rule of

Administrative Procedure Part X., and Section III, Court Facilities Design and Construction.

**C. Court Facilities Purpose:** AOC supported court facilities provide space and provisions for the execution of Supreme, Appellate, Circuit and District Court Functions, including other approved court affiliated and support functions.

**D. Primary Facility Mission:** The general intent and mission of the Court of Justice is to develop, provide support and maintain Court of Justice activities and facilities as the focal points of within the traditional centers of communities throughout the Commonwealth of Kentucky. However, the Court of Justice may develop, procure or maintain facilities in non-traditional locations when it has been demonstrated to the Court of Justice that the facility does not create a conflict with the betterment of the community it serves.

**E. Types of Court Facilities:** The following are the four (4) types of court facilities which may be funded through AOC per KRS 26A and priority of courts.

1. County owned existing facilities.
2. County owned new facility.
3. City or other Government Agency owned facility.
4. Private owned, leased facility.

**F. Classes of Court Facilities** The six (6) classes of facilities, which are detailed in these Criteria and are eligible for AOC funding, are as follows.

1. Rural (one & two courtroom) Court Facilities,
2. Urban & Metropolitan Court Facilities,
3. Court Satellite Facilities,
4. Court of Appeals and Supreme Court Facilities,
5. Leased and Interim Facilities, and
6. Administrative Office of the Courts Facilities.

## **G. State Support.**

1. To qualify for State support the materials and equipment incorporated, "built-in" must be installed in accordance with Court of Justice Rule of Administrative Procedure Part X., Section III, Court Facilities Design and Construction.

2. AOC construction projects will not exceed the standards set forth in this publication. These standards are prescribed on the basis of providing an economically functional and durable facility that has appropriate presence in the county or city that will adequately serve the Courts of Justice within the Commonwealth of Kentucky with relatively low utility and maintenance costs.

3. Approved cost overruns shall be executed in accordance with Court of Justice Rule of Administrative Procedure Part X., Section I, Construction Program Development.

## **H.Space and Materials Criteria.**

1. Space and materials criteria referenced and established in this publication shall be considered the maximum allowable (unless otherwise indicated) for use in determining AOC contributions toward construction costs.

2. Use of full maximum allowances is permissible rather than mandatory since local conditions may warrant the construction of smaller, less expensive facilities. The criteria shall be used by the AOC General Manager of Facilities in the final determination of facility maximum size and to establish facility-related equity for judicial facilities throughout the Commonwealth of Kentucky.

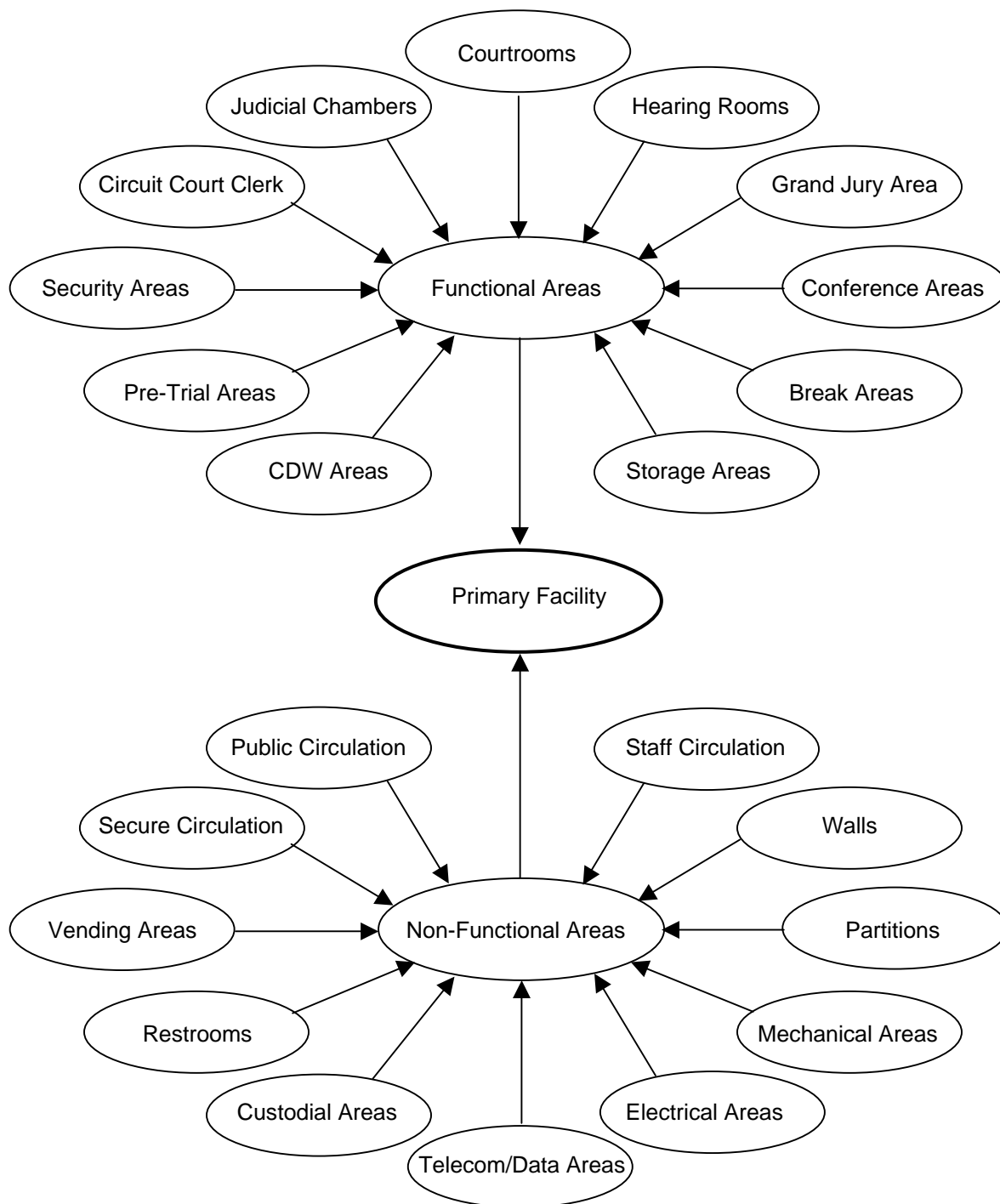
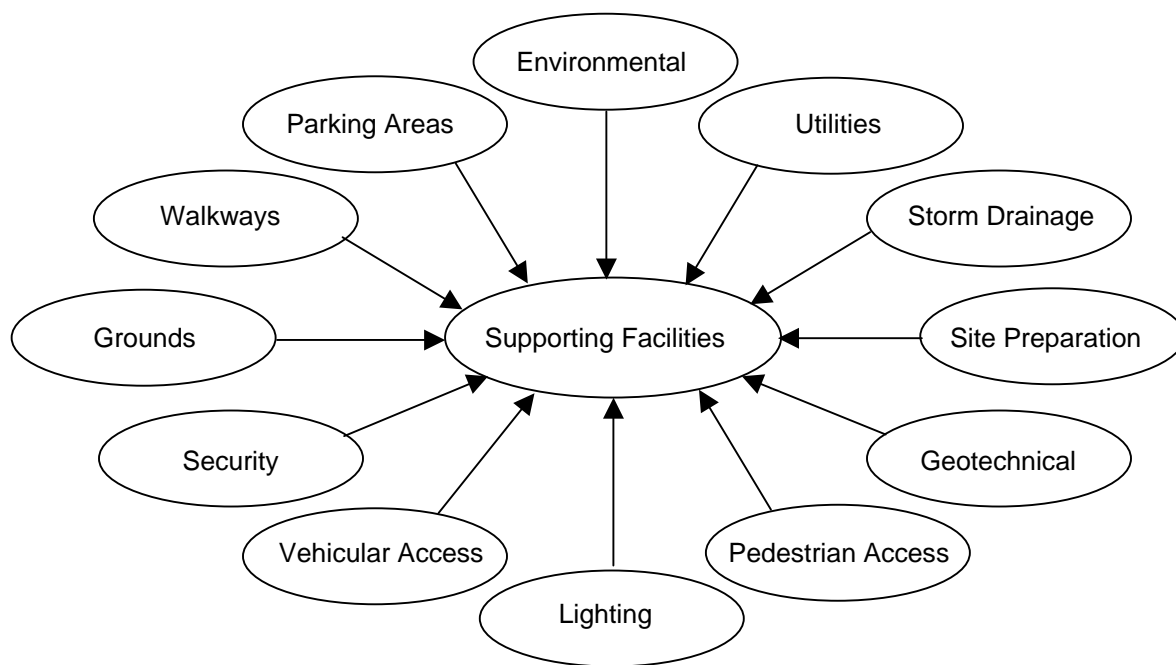
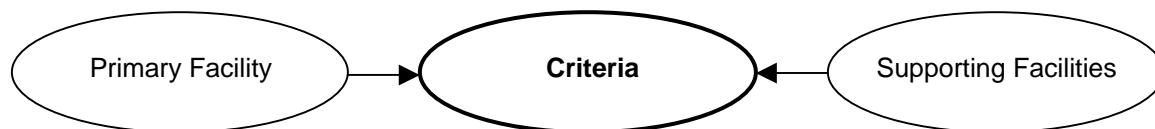


Figure 1-1. Overview of Primary Facility Criteria



**Figure 1-2. Overview of Supporting Facilities Criteria**



**Figure 1-3. Criteria Overview.**



**I. Deviation from Criteria Allowances.**

Deviation from criteria allowances established by this Rule of Administrative Procedure may be authorized by the AOC General Manager of Facilities, as an "Exception to Criteria" provided one or more of the following conditions can be met through detailed analysis and documentation (Also see Paragraph J (6)):

1. The AOC cost of construction is not increased by the deviation from the standard; and,
2. Items that exceed stated criteria have been requested and approved by the Court Facilities Standards Committee as "Exceptions to Criteria" in the program documents, or
3. Areas, which are included in, predominate AOC constructed facilities but are funded with non-AOC funds must comply with this publication and must be specifically addressed in a Memorandum of understanding (MOU) as a non-AOC supported portion of the facility.

**J. State Project Funding Participation:**

1. Local-Owned Facilities: 100% of AOC-required construction, less items, which are not supported with AOC, funds for local owned (or local leased) facilities.
2. Real Estate: As part of a construction program, as detailed in the Construction Program Documents (in accordance with Court of Justice Rule of Administrative Procedure Part X., Section I, Construction Program Development. Real Estate may be procured as part of the legislative approved project. Commonwealth of Kentucky participation in the purchase of real estate is limited to its proportion of the facility multiplied by the appraised property value conducted by an Appraisal Institute certified MAI appraiser.

**K. Items, Which Are Not, Supported With AOC Funds for Local-Owned Facilities.**

1. Real estate.
  - a. Any real estate purchase costs above an Appraisal Institute certified MAI appraiser's appraisal.

- b. Any real estate purchase costs exceeding the percent of court of Justice occupancy times the Appraisal Institute certified MAI appraiser's appraisal.

- c. Any real estate owned by the owner (Local Agency) prior to execution of the Memorandum of Understanding for a proposed construction program, unless an agreement has been executed between the Court of Justice and the Local Agency for the purchase of the real estate. See Court of Justice Rule of Administrative Procedure Part X. Section I. Construction Program Development, Chapter 12. Site Procurement.

- d. Sites for the construction of court facilities already owned or to be purchased or leased by local agency or government. This does not, however, preclude the construction of new court facilities or the rehabilitation of existing buildings on state owned land licensed to the local controlling agency for courts use. If outstanding debts exists on a Court of Justice AOC General Manager of Facilities approved and appropriate site, the portion owed may be applied to the project cost.

2. Environmental. Removal of any and all contaminated materials or wastes from the site to include mandatory testing to verify the absence of any and all contaminants, to include underground storage tanks, from the proposed site. The owner of the site must provide a certification of clean site. Funding for site environmental items shall not exceed funded and budgeted scopes unless such overrun is approved and executed in accordance with Court of Justice Rule of Administrative Procedure Part X., Section I, Construction Program Development.

3. Razing of Existing Structures to afford room for a new facility or addition to an existing facility, to include removal of debris from the site. Funding of demolition shall not exceed funded and budgeted scopes executed in accordance with Court of Justice Rule of Administrative Procedure Part X., Section I, Construction Program Development.

4. Excavation, Storm Drainage and Utilities The local agency and/or government shall provide funds for (or shall provide) excavation for the facility, storm drainage, and utilities to the proposed facility for work above and beyond the funded and budgeted scope for such items executed in accordance with Court of Justice Rule of Administrative Procedure Part X., Section I, Construction Program Development Guide.

5. Generators and Power Plants are not supportable with Commonwealth of Kentucky funds unless approved as an "Exception to Criteria" as discussed in the following paragraph.

6. Exceptions to Criteria

a. Additional or higher quality space or materials, equipment or features of higher quality than stipulated in this publication or the Court Facilities Design Guide shall not be supported with state funds unless approval of such items has been obtained from the AOC General Manager of Facilities, the Court Facilities Standard Committee and/or the Capital Construction Oversight Committee prior to Construction Contract award. The proponent of the change in project scope is responsible for presenting such proposals to the committees for approval.

b. However, local funds may be used for additional or higher quality space or materials, equipment or features of higher quality than stipulated. If such features increase operation and maintenance costs, the local agency shall support the increases with non-AOC funds.

c. Proposed increases for construction costs, which are not the result of an approved "Exception to Criteria" but are above and beyond the approved funding and budget, may only be approved by the Legislative Branch of Government as detailed in Court of Justice Rule of Administrative Procedure Part X., Section I, Construction Program Development.

**L. Basis for Construction.**

1. Allowances established herein will be used as the basis for construction of new facilities and for modification, rehabilitation, or expansion of existing facilities. Changes, exceptions, or additional features will be considered only when essential to facility operation.

2. Modification or rehabilitation of an existing structure is authorized when the building is structurally sound and suitable, the cost of modification is substantially less than the total project cost of new construction, and estimated maintenance and utility costs are not excessive. Each proposal for modification of an existing structure will be supported by a feasibility study. The final decision whether or not to modify or rehabilitate an existing structure rests with the AOC General Manager of Facilities.

3. The AOC General Manager of Facilities shall evaluate any existing structure, prior to developing a proposed modification or rehabilitation project, to determine if the structure can provide sufficient space to substantially meet the criteria defined in this Rule of Administrative Procedure. Substantial compliance for existing facilities is a minimum of 80% of required space as defined in this Rule of Administrative Procedure.

**M. Basis for Project Scope** The Administrative Office of the Courts provides staffing data, based on projected workloads, for determining Project Scope. This data is based on U.S. Census Bureau demographics and caseload statistics. Each facility shall be sized to support the anticipated volume of workload no less than ten (10) years in the future. It is preferred that the scope reflects the workload at least 20-years into the future. The project shall provide space and/or consideration for future expansions and/or modifications for workloads 30-years into the future.

**N. Facility Design and Construction:** The Project Development Board, acting as the “Owner’s Agent” and the Administrative Office of the Courts General Manager of Facilities shall procure and manage all contracts, contracted services, and materials required for the construction of State-funded facilities in accordance with Court of Justice Rule of Administrative Procedure Part X., Section I, Construction Program Development and Rule of Administrative Procedure Part X., Section III, Court Facilities Design and Construction.

**O. Facility Usage for Local Owned Facilities** (or portions of facilities) constructed with state funds shall be used only for Court of Justice-supported activities. In the event that the local owning agency elects to occupy or use space constructed for Court of Justice activities for non-Court of Justice activities, the local facility owning agency shall reimburse the Commonwealth of Kentucky for the replacement cost of construction of that portion of the facility, plus the relating share (that percent of functional area) of factored items and supporting facilities. This policy shall remain in effect until any and all capitalized construction costs of facility are paid in full.

**P. Facility Operations, Maintenance and Repair:** The facility “Owner” (Local Agency) shall manage and execute facility operations, maintenance and repair activities in accordance with current Memorandum of Understanding proportionate with AOC facility occupancy in accordance with KRS 26A and Court of Justice Rule of Administrative Procedure Part X., Real Property Management.

#### 1-6. Facility Size Determination Data:

**A. General:** The following describes the data required for using this publication to determine the authorized size and scope of a facility. The format detailed in Court of Justice Rule of Administrative Procedure Part X., Section I, Construction Program Development shall be used in the assembly of required data:

**B. Needs Assessment:** In accordance with Section I titled Court of Justice Rule of Administrative Procedure Part X., Section I, Construction Program Development the “Needs Assessment” projects staffing requirements based on estimated caseloads. The AOC executes the “Needs Assessment”, county-by-county, based on U.S. Census Bureau data and

projections and Court of Justice historical caseload data. Caseloads are considered an average of the number of filings and closing in a given county. The maximum number of projected cases is determined by applying the growth of cases over the last twenty years times the estimated population demographics for a given year. The minimum number of cases assumes that the caseload shall remain constant in proportion to estimated population demographics for a given year. The Needs Assessment is then based on the average or mean of the Maximum and Minimum caseload projections. The needs assessment shall determine:

1. Current Staffing,
2. Required staffing ten (10) years into the future,
3. Estimated required staffing 20 years into the future,
4. Required staffing for proposed construction (at least ten (10) years into the future) for renovations.

#### C. Site Data:

1. Identify suitable and available potential facility site(s),
2. Obtain appraisal of site(s) from an Appraisal Institute certified MAI appraiser,
3. Determine size of site(s) in acres,
4. Dimensions of site(s) in Lineal Feet,
5. Evaluate site(s) for required structural fill, retaining walls, etc.,
6. State if site(s) is currently owned or must be purchased.
7. Are demolition activities required at the site(s), and
8. Are Environmental remediation activities required for the site(s).

**D. Utility Data:**

1. Distance to and availability of Electrical Service(s) at the site(s),
2. Distance to and availability of Domestic Water Service at the site(s),
3. Distance to, sizes of and availability of Fire Hydrants at the site(s),
4. Distance to and availability of Sanitary Sewer Service at the site(s),
5. Distance to and nature of available Storm Sewer Service at the site(s),
6. Distance to and availability of Natural Gas Service at the site(s), and
7. Distance to and availability of required Telecommunications Service at the site(s).

## Chapter 2. Rural Court Facilities

---

### 2-1. General

**A. Standards:** This chapter establishes the space allowances for Rural Court Facilities where the average number of filings and closings are less than 7,000 cases per year. The determination of actual and projected numbers of filings and closings is executed by the Administrative Office of the Courts (AOC). Rural Court facilities which have the requirement for two (2) Judges are authorized one (1) Jury Trial Courtroom. Rural Court facilities, which have the requirement for three (3) Judges are, authorized two (2) Jury Trial Courtroom. Environmental protection features required by federal, state, and local codes and regulation will be incorporated into the construction design.

**B. Leased & Interim Facilities:** Refer to Chapter 6 Leased Judicial Facilities as verified and approved by the AOC General Manager of Facilities.

**C. Circulation:** The total net floor area may be increased by 20 percent for single floor facilities and 27.5 percent for multiple-story facilities for inter-functional circulation space such as corridors, staircases, entrances and lobby as required for a well planned functional layout.

**D. Walls and Partitions:** The total floor area, which includes all functional space allowances and interfunctional circulation, may be increased by 10 percent to provide for interior and exterior walls and partitions.

#### E. Flexibility:

1. Space allowances for any authorized functional area may be increased or decreased by up to 15 percent, provided that the total allowable functional net area is not increased thereby in order to provide the necessary off-setting reduction for these space increases for any functional area.

2. The total allowable functional net area may be decreased by no greater than 10 percent.

3. Any increase or decrease of an allowable functional area greater than 15 percent of a functional area shall be considered an "Exception to Criteria". See Paragraph 1-4J(6).

4. Removal of Functional Areas: The AOC General Manager of Facilities or the Project Development Board, with concurrence of the AOC General Manager of Facilities may remove functional areas from the proposed facility.

5. When functional areas are completely removed from a facility, however, the total allowable floor space must be reduced by a like amount.

### 2-2. General Construction of Building(s)

#### A. General:

1. The building will be constructed of materials rated as non-combustible. The exterior walls may be brick or stone with concrete masonry unit backup or other suitable systems.

2. The roofing system shall be rated to last at least 30-years.

3. The floor normally will be concrete with a non-concrete finished surface, except for service areas with floor loads detailed in Court of Justice Rule of Administrative Procedure Part X., Section III, Court Facilities Design and Construction.

4. Air conditioning for programming purposes should be estimated by determining total floor area authorized for cooling divided by 300 SF per ton.

5. The general construction of building(s) shall be governed by Court of Justice Rule of Administrative Procedure Part X., Section III, Court Facilities Design

6. The authorization of final design must be granted by the Chief Justice of the Supreme Court as detailed in Court of Justice Rule of Administrative Procedure Part X., Section I, Construction Program Development.

**B. Interior Fire Protection:** All new, renovated, adapted, and expanded Court of Justice facilities shall have installed a fire suppression sprinkler system with a centralized control and local and remote (at the local fire response agency) alarms.

**C. Seismic Survivability:** The building shall be designed and constructed for the seismic zone as required by the current edition of the Kentucky Building Code, and applicable local, state and federal codes.

**D. General Security Provisions:** The AOC General Manager of Facilities, or his or her designee, shall determine the level of security provisions to be installed or provided for Court of Justice used facilities. Courts facilities shall have incorporated security measures, which includes, but are not limited to; area access limitation systems, internal communication systems, intrusion alert systems and closed circuit video monitoring/recording systems. Other provisions may include perimeter intrusion detection system, area isolation systems, ballistic resistant windows, and judicial benches.

**E. Counter Terrorism Considerations:** The AOC General Manager of Facilities, or his or her designee, shall determine the level of counter terrorism provisions to be installed or provided for Court of Justice used facilities. However, as a minimum and to the greatest reasonable extent, buildings shall be designed and constructed so as to minimize potential damage due to explosive devices, entrances shall not allow vehicular access, approaches shall not be of sufficient length for vehicles to achieve barrier breaching speeds. No public or non-security screened staff parking is allowed under primary facility areas. Other counter terrorism provisions may be determined necessary by the AOC Facilities General Manager and therefore incorporated in or near the facility.

**F. Power Failure Survivability:** The facility shall have exterior provisions for an external generator/power plant to provide electrical power. State support for generators and power plants is not authorized unless specifically authorized by the AOC General Manager of

Facilities. As a minimum these provisions shall include, within a secure or securable area, a concrete pad, sized to accept a generator/power plant with above ground fuel tank of sufficient size, and a securable external hookup to the facility's electrical system.

## 2-3. Supporting Items

Authorized exterior items (supporting facilities) for projects include but are not limited to:

**A. Site Preparation:** This work includes the clearing and grubbing, stripping and stockpiling topsoil, excavation, embankment, and rough grading operations that are required to develop the project site to subgrade levels and elevations for proper sitting and drainage of facilitates (including culverts, head walls, retaining walls, etc.).

**B. Rock Excavation for Building Foundations:** Consideration of this type excavation is required if rock conditions are prevalent within a five (5) mile radius of the proposed construction site(s) as determined if the required geotechnical survey. Unit costs for additional or unanticipated mass and trench rock excavation shall be included as part of all construction bid and contract documents.

**C. Fine Grading and Seeding:** The area within the limits of construction (established by the minimum amount of excavation and embankment work required at the site), for which the existing surface cover has been destroyed or covered, may be fine graded and seeded to provide proper site drainage and control of erosion.

**D. Planting and Sodding.** Subject to the approval of the AOC General Manager of Facilities this will be included as an integral part of the planning of the project. Court of Justice participation for planting trees, shrubs, and vines at facilities (exclusive of grading and seeding or sprigging and sodding for erosion control) will not exceed 1 percent (1%) of the AOC share of the basic building cost. The minimum following areas shall be sodded:

1. All lawn areas in front of buildings.
2. Adjacent to structures, minimum of six feet (6'-0").

3. Adjacent to paved areas (including sidewalks), minimum of six feet (6'-0").
4. All slopes with grades greater than 3:1.
5. All areas with the potential for severe erosion.

**E. Secure Elected Officials' Vehicle Parking Area.**

1. Secure parking, which is ADA compliant, is authorized for 100 percent of all vehicles, equipment, etc.
2. The parking area(s) shall be securely positioned so as to afford the greatest practical convenience to facility staff entrance(s).
3. This parking area may be combined with staff parking area(s), but shall remain a secure area with controlled access.
4. Vehicles within this parking area shall not be observable from the street level.
5. Off street parking area pavement will be designed and constructed based on the best engineering standards. For programming purposes, rigid pavement will be a minimum of six inches (6") of reinforced concrete and flexible pavement shall be two inches (2") of base layer and two inches (2") of finish layer. Both rigid and flexible pavements shall be installed over at least six inches of compacted crushed stone. Geotechnical fabrics are authorized. Adequate drainage for paved area is required.
6. The parking area shall have 24' isles and 18' x 9' parking spaces.
7. Rigid concrete curbs may be installed around parking pavement edges.

**F. Public and Staff Parking Areas.**

1. It is assumed that public transportation is not available for rural facilities, therefore the parking area size shall provide parking for 100% of authorized staff, 75 percent of the facility's maximum public usage or be determined by the Facilities General Manager due to site availability to construct reasonable parking.

2. The parking areas shall be positioned so as to afford the greatest practical convenience to respective (public or staff) facility entrances.

3. Off street parking area pavement will be designed and constructed based on the best engineering standards. For programming purposes, rigid pavement will be a minimum of six inches (6") of reinforced concrete and flexible pavement shall be two inches (2") of base layer and two inches (2") of finish layer. Both rigid and flexible pavements shall have be installed over at least six inches (6") of compacted dense grade crushed stone over six inches (6") of compacted course grade crushed stone. Geotechnical fabrics are authorized. Adequate drainage for paved area is required.

4. The parking area shall have 24' isles and 18' x 9' parking spaces.

5. Rigid concrete curbs may be installed around parking pavement edges.

**G. Service and Access Aprons.**

1. Paved aprons shall be provided adjacent to loading docks and dumpsters.
2. For programming purposes, a minimum of 60 lineal feet per foot of width of the loading docks and 30 lineal feet for dumpsters.
3. For programming purposes, rigid pavement will be a minimum of eight inches (8") of reinforced concrete. Rigid pavements shall be installed over at least six inches (6") of compacted dense grade crushed stone over six inches (6") of compacted course grade crushed stone. Geotechnical fabrics are authorized. Adequate drainage for paved area is required.

- H. Security Fencing and Barriers.** A security-type fence constructed with materials consistent with the design and appearance of the building may be included in the project. This fence should be no less than 8-FT in height, should act as a visual barrier and have anti-climber provisions for Official and Staff Vehicle Parking Areas. Generally, the fence should be tied to the building(s) in order to provide the most economical enclosure of the protected area. The fencing shall be located at least five feet (5'-0") from the edge of the parking pavement.

**I. Utilities.**

1. All building utility service connections should be underground.
2. The length of service for each utility is limited to the distance of the shortest run or most appropriate approach from the building to the property line adjacent to the public right-of-way.
3. Direct-burial cable for telephone and electric service connections, plus conduit where the service connection must pass under a paved area, is authorized.
4. Court of Justice funding, support and participation for utilities shall not include any installation or upgrade of local distribution systems or sanitary sewage treatment system.

**J. Exterior Fire Protection:** Consideration will be given to the size of the structure, the type of construction, and the exposure to fire hazard that it creates for or receives from nearby buildings. Except in cases of conflict with State requirements, exterior fire protection should be excavated. Where the facility is to be built in a community served by municipal or private water systems and fire fighting forces, fire hydrants and a water main may be provided to ensure that two fire hydrants (including existing) are within 100-FT of the building. Extension of water mains for fire protection is limited to the shortest length from the existing main required to locate the hydrants within 100-FT, but not less than 50-FT of the building with no more than 100-FT of pipe located outside the project property.

**K. Access Road(s) and Entrance Throats:**

The exact amount and type of pavement will be determined at the preliminary design review by AOC General Manager of Facilities based on an economical and practical site facility layout. For programming purposes the following criteria shall be used:

1. The primary entrance/access road is authorized a width of no less than 24-FT.
2. Other access roads (for official and staff parking areas) should not exceed 24-FT in width.

3. Access roads and entrance throats shall be eight inches (8") of reinforced concrete installed over at least six (6") of compacted dense grade crushed stone over six inches (6") of compacted coarse grade crushed stone. Geotechnical fabrics are authorized. Adequate drainage for paved area is required.

4. Rigid concrete curbs may be installed on pavement edges.

**L. Walks:** A system of walks, for programming purposes, is generally limited to paved walkways by site layout. The exact amount of pavement will be determined at the preliminary design review by AOC based on an economical and practical site facility layout, site compliance with A.D.A. requirements.

**M. Flagpole.** Three (3) ground-set aluminum flagpoles with a maximum height of 30-FT shall be provided.

**N. Lawn/Garden Sprinkler System** An efficient lawn/garden sprinkler system is authorized for court facilities grounds and gardens, if authorized by the AOC General Manager of Facilities.



Table 2-1. Rural Court Facility Allowances

<u>Functional Area</u>	<u>Allowance</u>	<u>Functional Area</u>	<u>Allowance</u>
<b>1. Jury Trial Courtroom</b>		<b>6. Prisoner Handling Facilities</b>	
Courtroom Litigation Area	1,450 SF	Group Holding Cell	120 SF
Courtroom Spectator Area	950 SF	Individual Holding Cell	100 SF
Vestibule	100 SF	Entrance/Security Vestibule	75 SF
Public Waiting Area	400 SF	Staging and Preparation Area	75 SF
Add for Second Jury Courtroom	200 SF	Interview Areas - Basic	100 SF
Jury Deliberation/Grand Jury Area	400 SF	Add for Second Jury Courtroom	100 SF
Add for Second Jury Courtroom	200 SF	<b>Vehicular Sallyport</b>	<b>400 SF</b>
Jury Coffee Service Area	50 SF	Storage	30 SF
Jury Male Restroom	64 SF		
Jury Female Restroom	64 SF	<b>7. Circuit Court Clerk Areas</b>	
Witness/Victim Area #1	120 SF	Circuit Clerk Office	250 SF
Witness/Victim Area #2	120 SF	Circuit Clerk Restroom	64 SF
Add for Second Jury Courtroom	120 SF	Supervisor Areas <u>1/</u>	120 SF
Attorney/Client Area #1	120 SF	Clerk Staff Workstations - Basic	200 SF
Attorney/Client Area #2	120 SF	Staff Workstations - Add per Staff member	80 SF
Add for Second Jury Courtroom	120 SF	Permanent Counter Area - Basic	50 SF
Prisoner Holding Cells (2 Cells)	160 SF	Permanent Counter Area - Add <u>1/</u>	10 SF
Add for Second Jury Courtroom (1 Cell)	80 SF	Public Queuing & Waiting - Basic	200 SF
Trial Storage Area per Courtroom	80 SF	Public Queuing & Waiting - Add <u>1/</u>	20 SF
Audio/Visual Equip Storage Area	80 SF	Cashier	50 SF
		Driver's License Area	120 SF
<b>2. Non-Jury Trial Courtroom/Formal Hearing Room</b>		Records Review Area	75 SF
Courtroom Litigation Area	700 SF	Active Records Storage - Basic	300 SF
Courtroom Spectator Area	200 SF	Active Records Storage - Add <u>2/</u>	50 SF
Vestibule	80 SF	Inactive Records Storage - Basic	150 SF
Public Waiting Area	250 SF	Active Records Storage - Add <u>2/</u>	10 SF
Conference/Segregated Public Waiting Room	200 SF	Evidence Storage	150 SF
Juvenile/Child Waiting Room	200 SF	Add for Second Jury Courtroom	50 SF
Child Waiting Area Restroom	48 SF	Copy/FAX/Mail	60 SF
Child Waiting Area Observation Room	50 SF	Conference/Training Room - Basic	120 SF
Attorney/Client Areas	120 SF	Conference/Training Room - Add <u>1/</u>	10 SF
Prosecutor's Areas	120 SF	Staff Lounge Area	180 SF
Trial Storage Area	70 SF	Male Staff Restroom	64 SF
Audio/Visual Equipment Area	60 SF	Female Staff Restroom	64 SF
		Multipurpose/Work/Meeting Room	250 SF
<b>3. Grand Jury Areas</b>		Office Storage Area	50 SF
Grand Jury Room	350 SF		
Male/Female Restroom	64 SF	<b>8. Court Affiliated &amp; Support Offices</b>	
Reception/Waiting Area (may be combined with Judge's Chambers Waiting Area)	175 SF	<b>Pretrial Services</b>	
		Supervisor/Professional Staff	150 SF
<b>4. Judge's Chambers <u>1/</u></b>		Staff/Secretary/Receptionist	120 SF
Judge's Office	250 SF	Secure Commo. & Information Facility (SCIF) <u>3/</u>	80 SF
Judge's Toilet	64 SF	Conference (may be shared Area)	200 SF
Conference/Hearing Room (Per Judge)	175 SF	Public Waiting Area (may be shared Area)	75 SF
Law Clerks	150 SF	File Area (Each office)	50 SF
Court Administrator	120 SF	Office Storage Area (Each office)	40 SF
Court Reporter	100 SF		
Court Secretary (Per Secretary)	120 SF		
Court Social Worker	120 SF		
Files Area	60 SF		
Add for third Judge	40 SF		
Waiting Area (Per Judge)	75 SF		
Storage (per Judge)	20 SF		
<b>5. Appellate Panel Suite (SEE: Urban &amp; Metro Court Facility)</b>			
<b>5. Law Library</b>			
Library	150 SF		
Work Area	100 SF		
Add for Second Jury Courtroom	50 SF		

**Notes:**1/ Per required position.2/ Per required courtroom and hearing room.3/ If required by General Manager of Pretrial Services.

~ continued ~

Table 2-1. Rural Court Facility Allowances - Continued

<u>Functional Area</u>	<u>Allowance</u>
<b>CDW</b>	
Supervisor/Professional Staff	150 SF
Staff/Secretary/Receptionist	120 SF
Conference (may be shared Area)	200 SF
Public Waiting Area (may be shared Area)	75 SF
File Area	50 SF
Office Storage Area)	40 SF
<b>Drug Court (if authorized)</b>	
Supervisor/Professional Staff	150 SF
Staff/Secretary/Receptionist	120 SF
Conference (may be shared Area)	200 SF
Public Waiting Area (may be shared Area)	75 SF
File Area	50 SF
Office Storage Area	40 SF
Sampling Rest Room	75 SF
<b>All other Court Affiliated and Support Offices</b>	
Manager/Professional Staff	120 SF
Staff/Secretary/Receptionist	150 SF
Conference (may be shared Area)	200 SF
Public Waiting Area (may be shared Area)	75 SF
File Area (Each office)	50 SF
Office Storage Area (Each office)	80 SF
<b>9. Facility Support Areas</b>	
Security Personnel/Bailiff Area	120 SF
Flammable Materials Storage	20 SF
Hazardous Materials Storage	20 SF
<b>10. Public Areas</b>	
Building Entrance/Security Screening	500 SF
Men's Public Restrooms	450 SF
Add for third floor	100 SF
Women's Public Restrooms	500 SF
Add for third floor	100 SF
Vending Lounge/Public Telephones	60 SF
<b>11. Factored Areas (Net Functional times %)</b>	
Mechanical/Electrical/ADP/Telecom	6.0 %
Circulation - Single Floor Building	20.0 %
Circulation - Multiple Floor Building	27.5 %
Walls and Partitions	10.0 %
Facilities Maintenance & Storage.	4.0 %
<b>12. Security &amp; Fire Suppression</b>	
Security & Intrusion Detection Systems	whole building
Fire Detection & Suppression Systems	whole building

**Notes:**1/ Per required position.2/ Per required courtroom and hearing room.

## Chapter 3. Urban and Metropolitan Court Facilities

---

### 3-1. General.

**A. Standards:** This chapter establishes the space allowances for Urban and Metropolitan Court Facilities where the average of filings and closings are greater than 7,000 cases per year. The Administrative Office of the Courts (AOC) executes the determination of actual and projected numbers of filings and closings. Environmental protection features required by federal, state, and local codes and regulation will be incorporated into the construction design.

**B. Leased & Interim Facilities:** Refer to Chapter 6 Leased Judicial Facilities as verified and approved by the AOC General Manager of Facilities.

**C. Circulation:** The total net floor area may be increased by 20 percent for single floor facilities and 25 percent for multiple-story facilities for interfunctional circulation space such as corridors, staircases, entrances and lobby as required for a well planned functional layout.

**D. Walls and Partitions:** The total floor area, which includes all functional space allowances and interfunctional circulation, may be increased by 10 percent to provide for interior and exterior walls and partitions.

**E. Flexibility:**

1. Space allowances for any authorized functional area may be increased or decreased by up to 15 percent, provided that the total allowable functional net area is not increased thereby in order to provide the necessary off-setting reduction for these space increases for any functional area.

2. The total allowable functional net area may be decreased by no greater than 10 percent.

3. Any increase or decrease of an allowable functional area greater than 15 percent of a functional area shall be considered an "Exception to Criteria". See Paragraph 1-4J(6).

4. Removal of Functional Areas: The AOC General Manager of Facilities or the Project Development Board, with concurrence of the AOC General Manager of Facilities may remove functional areas from the proposed facility.

5. When functional areas are completely removed from a facility, however, the total allowable floor space must be reduced by a like amount.

### 3-2. General Construction of Building(s)

**A. General:**

1. The building will be constructed of materials rated as non-combustible. The exterior walls may be brick or stone with concrete masonry unit backup or other suitable systems.

2. The roofing system shall be rated to last at least 30-years.

3. The floor normally will be concrete with a non-concrete finished surface, except for service areas with floor loads detailed in Court of Justice Rule of Administrative Procedure Part X., Section III, Court Facilities Design and Construction.

4. Air conditioning for programming purposes should be estimated by determining total floor area authorized for cooling divided by 300 SF per ton.

5. The general construction of building(s) shall be governed by Court of Justice Rule of Administrative Procedure Part X., Section III, Court Facilities Design

6. The authorization of final design must be granted by the Chief Justice of the Supreme Court as detailed in Court of Justice Rule of Administrative Procedure Part X., Section I, Construction Program Development.

**B. Interior Fire Protection:** All new, renovated, adapted, and expanded Court of Justice facilities shall have installed a fire suppression sprinkler system with a centralized control and local and remote (at the local fire response agency) alarms.

**C. Seismic Survivability:** The building shall be designed and constructed for the seismic zone as required by the current edition of the Kentucky Building Code, and applicable local, state and federal codes.

**D. General Security Provisions:** The AOC General Manager of Facilities, or his or her designee, shall determine the level of security provisions to be installed or provided for Court of Justice used facilities. Courts facilities shall have incorporated security measures, which includes, but are not limited to; area access limitation systems, internal communication systems, intrusion alert systems and closed circuit video monitoring/recording systems. Other provisions may include perimeter intrusion detection system, area isolation systems, ballistic resistant windows, and judicial benches.

**E. Counter Terrorism Considerations:** The AOC General Manager of Facilities, or his or her designee, shall determine the level of counter terrorism provisions to be installed or provided for Court of Justice used facilities. However, as a minimum and to the greatest reasonable extent, buildings shall be designed and constructed so as to minimize potential damage due to explosive devices, entrances shall not allow vehicular access, approaches shall not be of sufficient length for vehicles to achieve barrier breaching speeds. No public or non-security screened staff parking is allowed under primary facility areas. Other counter terrorism provisions may be determined necessary by the AOC Facilities General Manager and therefore incorporated in or near the facility.

**F. Power Failure Survivability:** The facility shall have exterior provisions for an external generator/power plant to provide electrical power. State support for generators and power plants is not authorized unless specifically authorized by the AOC General Manager of Facilities. As a minimum these provisions shall include, within a secure or securable area, a concrete pad, sized to accept a generator/power plant with above ground fuel tank of sufficient

size, and a securable external hookup to the facility's electrical system.

### 3-3. Supporting Items

Authorized exterior items (supporting facilities) for projects include but are not limited to:

**A. Site Preparation:** This work includes the clearing and grubbing, stripping and stockpiling topsoil, excavation, embankment, and rough grading operations that are required to develop the project site to subgrade levels and elevations for proper sitting and drainage of facilitates (including culverts, head walls, retaining walls, etc.).

**B. Rock Excavation for Building Foundations:** Consideration of this type excavation is required if rock conditions are prevalent within a five (5) mile radius of the proposed construction site(s) as determined if the required geotechnical survey. Unit costs for additional or unanticipated mass and trench rock excavation shall be included as part of all construction bid and contract documents.

**C. Fine Grading and Seeding:** The area within the limits of construction (established by the minimum amount of excavation and embankment work required at the site), for which the existing surface cover has been destroyed or covered, may be fine graded and seeded to provide proper site drainage and control of erosion.

**D. Planting and Sodding.** Subject to the approval of the AOC General Manager of Facilities this will be included as an integral part of the planning of the project. Court of Justice participation for planting trees, shrubs, and vines at facilities (exclusive of grading and seeding or sprigging and sodding for erosion control) will not exceed 1 percent (1%) of the AOC share of the basic building cost. The minimum following areas shall be sodded:

1. All lawn areas in front of buildings.
2. Adjacent to structures, minimum of six feet (6'-0").
3. Adjacent to paved areas (including sidewalks), minimum of six feet (6'-0").

4. All slopes with grades greater than 3:1.
5. All areas with the potential for severe erosion.

**E. Secure Elected Officials' Vehicle Parking Area.**

1. Secure parking, which is ADA compliant, is authorized for 100 percent of all vehicles, equipment, etc.
2. The parking area(s) shall be securely positioned so as to afford the greatest practical convenience to facility staff entrance(s).
3. This parking area may be combined with staff parking area(s), but shall remain a secure area with controlled access.
4. Vehicles within this parking area shall not be observable from the street level.
5. Off street parking area pavement will be designed and constructed based on the best engineering standards. For programming purposes, rigid pavement will be a minimum of six inches (6") of reinforced concrete and flexible pavement shall be two inches (2") of base layer and two inches (2") of finish layer. Both rigid and flexible pavements shall be installed over at least six inches of compacted crushed stone. Geotechnical fabrics are authorized. Adequate drainage for paved area is required.
6. The parking area shall have 24' isles and 18' x 9' parking spaces.
7. Rigid concrete curbs may be installed around parking pavement edges.

**F. Public and Staff Parking Areas.**

1. It is assumed that public transportation is not available for rural facilities, therefore the parking area size shall provide parking for 100% of authorized staff, 75 percent of the facility's maximum public usage or be determined by the Facilities General Manager due to site availability to construct reasonable parking.

2. The parking areas shall be positioned so as to afford the greatest practical convenience to respective (public or staff) facility entrances.

3. Off street parking area pavement will be designed and constructed based on the best engineering standards. For programming purposes, rigid pavement will be a minimum of six inches (6") of reinforced concrete and flexible pavement shall be two inches (2") of base layer and two inches (2") of finish layer. Both rigid and flexible pavements shall have be installed over at least six inches (6") of compacted dense grade crushed stone over six inches (6") of compacted course grade crushed stone. Geotechnical fabrics are authorized. Adequate drainage for paved area is required.

4. The parking area shall have 24' isles and 18' x 9' parking spaces.

5. Rigid concrete curbs may be installed around parking pavement edges.

**G. Service and Access Aprons.**

1. Paved aprons shall be provided adjacent to loading docks and dumpsters.
2. For programming purposes, a minimum of 60 lineal feet per foot of width of the loading docks and 30 lineal feet for dumpsters.
3. For programming purposes, rigid pavement will be a minimum of eight inches (8") of reinforced concrete. Rigid pavements shall be installed over at least six inches (6") of compacted dense grade crushed stone over six inches (6") of compacted course grade crushed stone. Geotechnical fabrics are authorized. Adequate drainage for paved area is required.

- H. Security Fencing and Barriers.** A security-type fence constructed with materials consistent with the design and appearance of the building may be included in the project. This fence should be no less than 8-FT in height, should act as a visual barrier and have anti-climber provisions for Official and Staff Vehicle Parking Areas. Generally, the fence should be tied to the building(s) in order to provide the most economical enclosure of the protected area. The

fencing shall be located at least five feet (5'-0") from the edge of the parking pavement.

**I. Utilities.**

1. All building utility service connections should be underground.
2. The length of service for each utility is limited to the distance of the shortest run or most appropriate approach from the building to the property line adjacent to the public right-of-way.
3. Direct-burial cable for telephone and electric service connections, plus conduit where the service connection must pass under a paved area, is authorized.
4. Court of Justice funding, support and participation for utilities shall not include any installation or upgrade of local distribution systems or sanitary sewage treatment system.

**J. Exterior Fire Protection:** Consideration will be given to the size of the structure, the type of construction, and the exposure to fire hazard that it creates for or receives from nearby buildings. Except in cases of conflict with State requirements, exterior fire protection should be excavated. Where the facility is to be built in a community served by municipal or private water systems and fire fighting forces, fire hydrants and a water main may be provided to ensure that two fire hydrants (including existing) are within 100-FT of the building. Extension of water mains for fire protection is limited to the shortest length from the existing main required to locate the hydrants within 100-FT, but not less than 50-FT of the building with no more than 100-FT of pipe located outside the project property.

**K. Access Road(s) and Entrance Throats:** The exact amount and type of pavement will be determined at the preliminary design review by AOC General Manager of Facilities based on an economical and practical site facility layout. For programming purposes the following criteria shall be used:

1. The primary entrance/access road is authorized a width of no less than 24-FT.

2. Other access roads (for official and staff parking areas) should not exceed 24-FT in width.

3. Access roads and entrance throats shall be eight inches (8") of reinforced concrete installed over at least six (6") of compacted dense grade crushed stone over six inches (6") of compacted course grade crushed stone. Geotechnical fabrics are authorized. Adequate drainage for paved area is required.

4. Rigid concrete curbs may be installed on pavement edges.

**L. Walks:** A system of walks, for programming purposes, is generally limited to paved walkways by site layout. The exact amount of pavement will be determined at the preliminary design review by AOC based on an economical and practical site facility layout, site compliance with A.D.A. requirements.

**M. Flagpole.** Three (3) ground-set aluminum flagpoles with a maximum height of 30-FT shall be provided.

**N. Lawn/Garden Sprinkler System** An efficient lawn/garden sprinkler system is authorized for court facilities grounds and gardens, if authorized by the AOC General Manager of Facilities.

**Table 3-1. Urban & Metropolitan Court Allowances**

<b>Functional Area</b>	<b>Allowance</b>
<b>1. Jury Trial Courtrooms <sup>1/</sup></b>	
Courtroom Litigation Areas - Basic	1,450 SF
Add for Large Courtroom	300 SF
Add for Multi-Defendant Courtroom	600 SF
Courtroom Spectator Areas	950 SF
Add for Large Courtroom	300 SF
Add for Multi-Defendant Courtroom	600 SF
Vestibule/Security Check	100 SF
Add for Large Courtroom	20 SF
Add for Multi-Defendant Courtroom	80 SF
Public Waiting Areas <sup>2/</sup>	400 SF
Add for Large Courtroom	200 SF
Add for Multi-Defendant Courtroom	400 SF
Jury Deliberation Areas <sup>2/</sup>	350 SF
Jury Lounge Areas <sup>2/</sup>	150 SF
Jury Male Restrooms <sup>2/</sup>	64 SF
Jury Female Restrooms <sup>2/</sup>	64 SF
Witness/Victim Areas - Basic	150 SF
Add for Large Courtroom	20 SF
Add for Multi-Defendant Courtroom	50 SF
Attorney/Client Areas - Basic	120 SF
Add for Multi-Defendant Courtroom	80 SF
Prosecutor's Areas - Basic	120 SF
Add for Multi-Defendant Courtroom	80 SF
Prisoner Holding - Basic Shared Area <sup>2/</sup>	80 SF
Add for Large Courtroom	20 SF
Add for Multi-Defendant Courtroom	30 SF
Trial Storage Area - Basic	80 SF
Add for Large Courtroom	20 SF
Add for Multi-Defendant Courtroom	40 SF
Audio/Visual Equipment Area - Basic	80 SF
Add for Large Courtroom	20 SF
Add for Multi-Defendant Courtroom	50 SF
Facility-Wide Shared Areas	
Law Enforcement Waiting Areas - Basic	80 SF
Add per Courtroom	20 SF
Press Rm (per Multi-Defendant Courtroom)	120 SF

**Jury Trial Courtroom Authorizations**

Jury Trial Courtroom #1 - Standard  
 Jury Trial Courtroom #2 - Large  
 Jury Trial Courtroom #3 - Standard  
 Jury Trial Courtroom #4 - Standard  
 Jury Trial Courtroom #5 - Standard  
 Jury Trial Courtroom #6 - Multi-Defendant  
 Jury Trial Courtroom #7 - Standard  
 Jury Trial Courtroom #8 - Standard  
 Jury Trial Courtroom #9 - Standard  
 Jury Trial Courtroom #10 - Large  
 Jury Trial Courtroom #11 - Standard  
 Jury Trial Courtroom #12 - Standard  
 Jury Trial Courtroom #13 - Standard  
 Jury Trial Courtroom #14 - Large  
 Jury Trial Courtroom #15 - Standard  
 Jury Trial Courtroom #16 - Standard  
 Jury Trial Courtroom #17 - Standard  
 Jury Trial Courtroom #18 - Large  
 Jury Trial Courtroom #19 - Standard  
 Jury Trial Courtroom #20 - Standard  
 Jury Trial Courtroom #21 - Standard  
 Jury Trial Courtroom #22 - Large

**Total Jury Trial Court Area Sizes**

Standard: 3,958 SF  
 Large: 4,858 SF  
 Multi-Defendant: 6,048 SF

**Footnotes:**

- <sup>1/</sup> Per required Circuit and District Judge.  
<sup>2/</sup> May be shared by two or more Courtrooms and total may be reduced by greater than 15%.  
<sup>3/</sup> Per required Family Court Judge and located adjacent to Court Designated Worker (CDW) area.  
<sup>4/</sup> Per required Judge.  
<sup>5/</sup> Authorization may be combined and shared by two or three Judges.  
<sup>6/</sup> Per required position.  
<sup>7/</sup> High-use facilities, requires AOC approval.  
<sup>8/</sup> Pretrial Services area only.  
<sup>9/</sup> Non-Court of Justice function.

~ Continued ~

Table 3-1. Urban &amp; Metropolitan Court Allowances - Continued

Functional Area	Allowance	Functional Area	Allowance
<b>2. Non-Jury Trial Courtrooms 3/</b>		<b>6. Appellate Judge's Suite (if AOC authorized)</b>	
Courtroom Litigation Areas	700 SF	Appellate Judge #1 Office	300 SF
Courtroom Spectator Areas	250 SF	Judge's Toilet	64 SF
Add for Traffic Courtroom	550 SF	Appellate (visiting panel) Judge #2	200 SF
Vestibule/Security Check	80 SF	Judge's Toilet	64 SF
Public Waiting Area 2/	225 SF	Appellate (visiting panel) Judge #3	200 SF
Segregated Public Waiting Area	120 SF	Judge's Toilet	64 SF
Child Waiting Room 2/	150 SF	Conference/Work/Hearing Room	300 SF
Child Waiting Area Restroom	64 SF	Law Clerks' Area	300 SF
Child Waiting Area Observation Room	60 SF	Library	350 SF
Juvenile Waiting Room 2/	150 SF	Court Secretary	120 SF
Juvenile Waiting Area Restroom	64 SF	Files Area	120 SF
Juvenile Waiting Area Observation Room	60 SF	Reception/Waiting Area	150 SF
Interview Room 2/	100 SF	Male Staff Restroom	64 SF
Attorney/Client Areas	120 SF	Female Staff Restroom	64 SF
Prosecutor's Areas	100 SF	Court Storage	80 SF
Secure Holding Area 2/	80 SF	Coffee Station	40 SF
Trial Storage Area	70 SF		
Audio/Visual Equipment Area – Basic	60 SF		
Facility-Wide Shared Areas			
Law Enforcement Waiting Areas - Basic	80 SF		
Add per Courtroom	20 SF		
<b>3. Hearing Rooms</b>		<b>7. Law Library</b>	
Hearing Room (per each 4 Courtrooms)	600 SF	Library – Basic	350 SF
		Add for each Courtroom	10 SF
		Work Area – Basic	100 SF
		Add for each Courtroom	10 SF
		Librarian Area 6/	100 SF
		Copy Area	40 SF
		ADP Area – Basic	40 SF
		Add for each Courtroom	10 SF
		Storage Area – Basic	40 SF
		Add for each Courtroom	2 SF
<b>4. Grand Jury Areas</b>		<b>8. Circuit Court Clerk Areas</b>	
Grand Jury Room	600 SF	Circuit Clerk Office	250 SF
Jury Lounge	200 SF	Circuit Clerk Restroom	64 SF
Jury Male Restrooms	64 SF	District Court Clerk 6/	200 SF
Jury Female Restrooms	64 SF	Supervisor Areas 6/	120 SF
Witness Waiting Area	100 SF	Clerk Staff Workstations - Basic	200 SF
Attorney/Client Area	100 SF	Add for each required position	80 SF
Reception Area	120 SF	Permanent Counter Workstations	100 SF
Vestibule/Security Check	64 SF	Add for each Counter Station	20 SF
Evidence Storage	64 SF	Public Queuing and Waiting - Basic	300 SF
Audio/Visual Equipment Area	64 SF	Add for each Counter Station - Add	40 SF
		Cashier 5/	60 SF
<b>5. Judge's Chambers 4/</b>		Drive Through Cashier Station 7/	200 SF
Judge's Office	250 SF	Driver's License Area 6/	125 SF
Judge's Toilet	64 SF	Records Review Area - Basic	120 SF
Conference/Hearing Room 5/	175 SF	Add for each Courtroom & Hearing Rm.	20 SF
Law Clerk 5/	150 SF	Active Records Storage – Basic	300 SF
Court Administrator 5/	120 SF	Add for each Courtroom & Hearing Rm.	120 SF
Court Recorder 5/	100 SF	Inactive Records Storage - Basic	400 SF
Court Secretary 5/	100 SF	Add for each Courtroom & Hearing Rm.	150 SF
Court Social Worker 5/	150 SF	Archived Records Storage - Basic	200 SF
Files Area	60 SF	Add for each Courtroom & Hearing Rm.	50 SF
Storage	20 SF	Evidence Storage – Basic	300 SF
Reception/Waiting Area 5/	80 SF	Add for each Courtroom & Hearing Rm.	50 SF
Coffee Station 5/	20 SF	Copy/FAX/Mail – Basic	80 SF
Copy/Mail/FAX Area 5/	15 SF	Add for each Courtroom & Hearing Rm.	5 SF
Facility-Wide Shared Areas		Conference/Training Room - Basic	120 SF
Judicial Staff Break Area – Basic	100 SF	Add for each Staff member	5 SF
Add for Each Judge	15 SF	Staff Lounge Area – Basic	150 SF
Male Staff Restroom(s) - Basic	50 SF	Add for each Staff member	5 SF
Add for Each Judge	5 SF	Male Staff Restroom – Basic	62 SF
Female Staff Restroom(s) - Basic	60 SF	Add for each Staff member	2 SF
Add for Each Judge	6 SF	Female Staff Restroom – Basic	62 SF
		Add for each Staff member	3 SF
		Office Storage Area – Basic	60 SF
		Add for each Staff member	2 SF
		Multipurpose Work/Meeting Room(s)– Basic	200 SF
		Add for each Courtroom	25 SF

## Footnotes:

- 1/ Per required Circuit and District Judge.  
2/ May be shared by two or more Court Rooms and total may be reduced by greater than 15%.  
3/ Per required Family Court Judge and located adjacent to Court Designated Worker (CDW) area.  
4/ Per required Judge.  
5/ Authorization may be combined and shared by two or three Judges.  
6/ Per required position.  
7/ High-use facilities, requires AOC approval.  
8/ Pre-Trial Services area only.  
9/ Non-Court of Justice function.

~ Continued ~



Table 3-1. Urban &amp; Metropolitan Court Allowances - Continued

Functional Area	Allowance	Functional Area	Allowance
<b>9. Prisoner Handling Facilities</b>		<b>Drug Court</b>	
Vehicular Sallyport - Basic	450 SF	Staff Director	150 SF
Add for each four (4) Courtrooms	450 SF	Professional Staff <u>6/</u>	150 SF
Group Holding Cells - Basic	160 SF	Supervisors <u>6/</u>	120 SF
Add for each four (4) Courtrooms	80 SF	Support Staff <u>6/</u>	100 SF
Individual Holding Cells - Basic	75 SF	Public Queuing and Waiting – Basic <u>7/</u>	80 SF
Add for each Courtroom	75 SF	Add for each Staff Member	10 SF
Security Vestibule	100 SF	File Storage Area	60 SF
Staging and Preparation Area	150 SF	Add for each Staff Member	10 SF
Interview Rooms - Basic	200 SF	Copy/FAX/Mail – Basic <u>8/</u>	40 SF
Add for each four (4) Courtrooms	100 SF	Add for each Staff Member	5 SF
Enforcement Personnel Area - Basic	120 SF	Conference/Training Room – Basic <u>8/</u>	220 SF
Add for each four (4) Courtrooms	30 SF	Add for each Staff member	15 SF
Enforcement Personnel Storage	40 SF	Office Storage Area – Basic	20 SF
Guard Restroom/Shower/Lockers	180 SF	Add for each Staff member	5 SF
		Coffee Station <u>8/</u>	40 SF
		Male Sampling Rest Room	75 SF
		Female Sampling Rest Room	75 SF
<b>10. Court Security &amp; Law Enforcement Facilities</b>		<b>Other Court affiliated and Non-Affiliated Agencies</b>	
Sheriff/Bailiff Workroom - Basic	100 SF	Staff Director	150 SF
Add for Each Bailiff	10 SF	Professional Staff <u>6/</u>	150 SF
Bailiff Storage	40 SF	Supervisors <u>6/</u>	120 SF
Security Supervisor <u>6/</u>	120 SF	Support Staff <u>6/</u>	100 SF
Security Control Room - Basic	120 SF	Public Queuing and Waiting – Basic <u>7/</u>	80 SF
Add for each Courtroom	10 SF	Add for each Staff Member	10 SF
Security Control Room Restroom	64 SF	File Storage Area	60 SF
Security Storage	40 SF	Add for each Staff Member	10 SF
Security & Enf. Workroom/Lounge - Basic	120 SF	Copy/FAX/Mail – Basic <u>8/</u>	40 SF
Add for each Courtroom	10 SF	Add for each Staff Member	5 SF
Building Entrance(s)/Security Check - Basic	500 SF	Conference/Training Room – Basic <u>8/</u>	220 SF
Add for each Courtroom	20 SF	Add for each Staff member	15 SF
First Aid Room	80 SF	Office Storage Area – Basic	20 SF
		Add for each Staff member	5 SF
		Coffee Station <u>8/</u>	40 SF
<b>11. Court Affiliated and Non-Affiliated Services Suites</b>		<b>Shared Areas (for 6 or more total staff)</b>	
<b>Pretrial Services</b>		Staff Break Area	100 SF
Staff Director	150 SF	Add for Each Staff member	5 SF
Professional Staff <u>6/</u>	150 SF	Male Staff Restroom – Basic	50 SF
Supervisors <u>6/</u>	150 SF	Add for each Staff member	5 SF
Support Staff <u>6/</u>	120 SF	Female Staff Restroom - Basic	60 SF
Secure Commo. and Info. Facility (SCIF)	80 SF	Add for each Staff member	6 SF
Add for each Staff Member	5 SF		
Public Queuing and Waiting – Basic <u>7/</u>	80 SF		
Add for each Staff Member	10 SF		
Permanent Counter Work Area – Basic <u>7/</u>	100 SF		
Add for each Counter Station - Add	20 SF		
File Storage Area - Basic	60 SF		
Add for each Staff Member	10 SF		
Copy/FAX/Mail – Basic <u>8/</u>	40 SF		
Add for each Staff Member	5 SF		
Conference/Training Room – Basic <u>8/</u>	200 SF		
Add for each Staff member	15 SF		
Office Storage Area – Basic	20 SF		
Add for each Staff member	5 SF		
Coffee Station <u>8/</u>	40 SF		
<b>Functional Area</b>	<b>Allowance</b>		
<b>CDW</b>			
Staff Director	150 SF		
Professional Staff <u>6/</u>	150 SF		
Supervisors <u>6/</u>	120 SF		
Support Staff <u>6/</u>	100 SF		
Public Queuing and Waiting – Basic <u>7/</u>	80 SF		
Add for each Staff Member	10 SF		
File Storage Area	60 SF		
Add for each Staff Member	10 SF		
Copy/FAX/Mail – Basic <u>8/</u>	40 SF		
Add for each Staff Member	5 SF		
Conference/Training Room – Basic <u>8/</u>	200 SF		
Add for each Staff member	10 SF		
Office Storage Area – Basic	20 SF		
Add for each Staff member	5 SF		
Coffee Station <u>8/</u>	40 SF		

**Footnotes:**

- 1/ Per required Circuit and District Judge.  
2/ May be shared by two or more Court Rooms and total may be reduced by greater than 15%.  
3/ Per required Family Court Judge and located adjacent to Court Designated Worker (CDW) area.  
4/ Per required Judge.  
5/ Authorization may be combined and shared by two or three Judges.  
6/ Per required position.  
7/ High-use facilities, requires AOC approval.  
8/ Shared area, if practicable.  
9/ Non-Court of Justice function.

~ Continued ~

**Table 3-1. Urban & Metropolitan Court Allowances - Continued**

<u>Functional Area</u>	<u>Allowance</u>
<b>12. Facility Support Areas</b>	
Facility Superintendent/Manager <u>6</u> /	200 SF
Facility Engineer <u>6</u> /	150 SF
Mechanical/Maintenance Supervisors <u>6</u> /	120 SF
Administrative Support Staff <u>6</u> /	100 SF
Central Mail Room – Basic <u>6</u> /	100 SF
Add for each Court/Commission	10 SF
Allied Trades Area – Basic	200 SF
Add for each Allied Trades Section	200 SF
Technical Publications & Drawings Library	60 SF
File Storage Area	60 SF
Add for each Courtroom	2 SF
Office Storage Area – Basic	40 SF
Add for each Courtroom	2 SF
Copy/FAX/Mail - Basic	20 SF
Add for each Courtroom	2 SF
Waiting Area	80 SF
Staff/Technician Break Area - Basic	150 SF
Add for each Staff member/Technician	5 SF
Male Restroom/Shower/Locker Rm - Basic	100 SF
Add for each Staff member	5 SF
Female Restrm/Shower/Locker Rm – Basic	100 SF
Add for each Staff member	5 SF
Loading Dock – Basic	200 SF
Add for each Courtroom	10 SF
Central Shipping/Receiving Area	200 SF
Add for each Courtroom & Hearing Rm.	10 SF
Facility & Allied Trades Storage - Basic	200 SF
Add for each Courtroom	10 SF
Ground Support Equipment Storage - Basic	250 SF
Add for each Courtroom.	10 SF
Hazardous Material Storage Area - Basic	20 SF
Add for each Courtroom	2 SF
Flammable Materials Storage Area - Basic	20 SF
Add for each Courtroom	2 SF
Controlled Waste Handling Area	40 SF
<b>13. Common Use Areas</b>	
Men's Public Restrooms - Basic	200 SF
Add for each Courtroom & Hearing Rm.	100 SF
Women's Public Restrooms - Basic	250 SF
Add for each Courtroom & Hearing Rm.	120 SF
Public Vending/Lounge Area - Basic	400 SF
Add for each Courtroom & Hearing Rm.	20 SF
Public Telephone Areas - Basic	100 SF
Add for each Courtroom & Hearing Rm.	20 SF
<b>14. Factored Areas (Net Functional times %)</b>	
Mechanical/Electrical/ADP/Telecom	4 %
Circulation - Single Floor Building	20 %
Circulation - Multiple Floor Building	25 %
Walls and Partitions	10 %
Facilities Maintenance & Storage	1.5. %

## Chapter 4. Court Satellite Facilities

---

### 4-1. General

**A. Standards:** This chapter establishes the space allowances for Satellite Court Facilities for Metropolitan areas. These Satellite facilities may support non-Jury trials such as Family, Drug and Traffic court as well as Circuit Court Clerk, Friend of the Court and (other) court support activities at a site other than the central court facility of the county. The scope of the facility shall be based on the numbers of filings and closings at the facility as determined by the Administrative Office of the Courts (AOC). Environmental protection features required by federal, state, and local codes and regulation will be incorporated into the construction design.

**B. Leased & Interim Facilities:** Refer to Chapter 6 Leased Judicial Facilities as verified by the General Manager of Facilities.

**C. Circulation:** The total net floor area may be increased by 20 percent for single floor facilities and 25 percent for multiple-story facilities for interfunctional circulation space such as corridors, staircases, entrances and lobby as required for a well planned functional layout.

**D. Walls and Partitions:** The total floor area, which includes all functional space allowances and interfunctional circulation, may be increased by 10 percent to provide for interior and exterior walls and partitions.

#### E. Flexibility:

1. Space allowances for any authorized functional area may be increased or decreased by up to 15 percent, provided that the total allowable functional net area is not increased thereby in order to provide the necessary off-setting reduction for these space increases for any functional area.
2. The total allowable functional net area may be decreased by no greater than 10 percent.
3. Any increase or decrease of an allowable functional area greater than 15 percent of a functional area shall be

considered an "Exception to Criteria". See Paragraph 1-4J(6).

4. Removal of Functional Areas: The AOC General Manager of Facilities or the Project Development Board, with concurrence of the AOC General Manager of Facilities may remove functional areas from the proposed facility.

5. When functional areas are completely removed from a facility, however, the total allowable floor space must be reduced by a like amount.

### 4-2. General Construction of Building(s)

#### A. General:

1. The building will be constructed of materials rated as non-combustible. The exterior walls may be brick or stone with concrete masonry unit backup or other suitable systems.

2. The roofing system shall be rated to last at least 30-years.

3. The floor normally will be concrete with a non-concrete finished surface, except for service areas with floor loads detailed in Court of Justice Rule of Administrative Procedure Part X., Section III, Court Facilities Design and Construction.

4. Air conditioning for programming purposes should be estimated by determining total floor area authorized for cooling divided by 300 SF per ton.

5. The general construction of building(s) shall be governed by Court of Justice Rule of Administrative Procedure Part X., Section III, Court Facilities Design

6. The authorization of final design must be granted by the Chief Justice of the Supreme Court as detailed in Court of Justice Rule of Administrative Procedure Part X., Section I, Construction Program Development.

**B. Interior Fire Protection:** All new, renovated, adapted, and expanded Court of Justice facilities shall have installed a fire suppression sprinkler system with a centralized control and local and remote (at the local fire response agency) alarms.

**C. Seismic Survivability:** The building shall be designed and constructed for the seismic zone as required by the current edition of the Kentucky Building Code, and applicable local, state and federal codes.

**D. General Security Provisions:** The AOC General Manager of Facilities, or his or her designee, shall determine the level of security provisions to be installed or provided for Court of Justice used facilities. Courts facilities shall have incorporated security measures, which includes, but are not limited to; area access limitation systems, internal communication systems, intrusion alert systems and closed circuit video monitoring/recording systems. Other provisions may include perimeter intrusion detection system, area isolation systems, ballistic resistant windows, and judicial benches.

**E. Counter Terrorism Considerations:** The AOC General Manager of Facilities, or his or her designee, shall determine the level of counter terrorism provisions to be installed or provided for Court of Justice used facilities. However, as a minimum and to the greatest reasonable extent, buildings shall be designed and constructed so as to minimize potential damage due to explosive devices, entrances shall not allow vehicular access, approaches shall not be of sufficient length for vehicles to achieve barrier breaching speeds. No public or non-security screened staff parking is allowed under primary facility areas. Other counter terrorism provisions may be determined necessary by the AOC Facilities General Manager and therefore incorporated in or near the facility.

**F. Power Failure Survivability:** The facility shall have exterior provisions for an external generator/power plant to provide electrical power. State support for generators and power plants is not authorized unless specifically authorized by the AOC General Manager of Facilities. As a minimum these provisions shall include, within a secure or securable area, a concrete pad, sized to accept a generator/power plant with above ground fuel tank of sufficient

size, and a securable external hookup to the facility's electrical system.

#### 4-3. Supporting Items

Authorized exterior items (supporting facilities) for projects include but are not limited to:

**A. Site Preparation:** This work includes the clearing and grubbing, stripping and stockpiling topsoil, excavation, embankment, and rough grading operations that are required to develop the project site to subgrade levels and elevations for proper sitting and drainage of facilitates (including culverts, head walls, retaining walls, etc.).

**B. Rock Excavation for Building Foundations:** Consideration of this type excavation is required if rock conditions are prevalent within a five (5) mile radius of the proposed construction site(s) as determined if the required geotechnical survey. Unit costs for additional or unanticipated mass and trench rock excavation shall be included as part of all construction bid and contract documents.

**C. Fine Grading and Seeding:** The area within the limits of construction (established by the minimum amount of excavation and embankment work required at the site), for which the existing surface cover has been destroyed or covered, may be fine graded and seeded to provide proper site drainage and control of erosion.

**D. Planting and Sodding.** Subject to the approval of the AOC General Manager of Facilities this will be included as an integral part of the planning of the project. Court of Justice participation for planting trees, shrubs, and vines at facilities (exclusive of grading and seeding or sprigging and sodding for erosion control) will not exceed 1 percent (1%) of the AOC share of the basic building cost. The minimum following areas shall be sodded:

1. All lawn areas in front of buildings.
2. Adjacent to structures, minimum of six feet (6'-0").
3. Adjacent to paved areas (including sidewalks), minimum of six feet (6'-0").

4. All slopes with grades greater than 3:1.
5. All areas with the potential for severe erosion.

**E. Secure Elected Officials' Vehicle Parking Area.**

1. Secure parking, which is ADA compliant, is authorized for 100 percent of all vehicles, equipment, etc.
2. The parking area(s) shall be securely positioned so as to afford the greatest practical convenience to facility staff entrance(s).
3. This parking area may be combined with staff parking area(s), but shall remain a secure area with controlled access.
4. Vehicles within this parking area shall not be observable from the street level.
5. Off street parking area pavement will be designed and constructed based on the best engineering standards. For programming purposes, rigid pavement will be a minimum of six inches (6") of reinforced concrete and flexible pavement shall be two inches (2") of base layer and two inches (2") of finish layer. Both rigid and flexible pavements shall be installed over at least six inches of compacted crushed stone. Geotechnical fabrics are authorized. Adequate drainage for paved area is required.
6. The parking area shall have 24' isles and 18' x 9' parking spaces.
7. Rigid concrete curbs may be installed around parking pavement edges.

**F. Public and Staff Parking Areas.**

1. It is assumed that public transportation is not available for rural facilities, therefore the parking area size shall provide parking for 100% of authorized staff, 75 percent of the facility's maximum public usage or be determined by the Facilities General Manager due to site availability to construct reasonable parking.

2. The parking areas shall be positioned so as to afford the greatest practical convenience to respective (public or staff) facility entrances.

3. Off street parking area pavement will be designed and constructed based on the best engineering standards. For programming purposes, rigid pavement will be a minimum of six inches (6") of reinforced concrete and flexible pavement shall be two inches (2") of base layer and two inches (2") of finish layer. Both rigid and flexible pavements shall have be installed over at least six inches (6") of compacted dense grade crushed stone over six inches (6") of compacted course grade crushed stone. Geotechnical fabrics are authorized. Adequate drainage for paved area is required.

4. The parking area shall have 24' isles and 18' x 9' parking spaces.

5. Rigid concrete curbs may be installed around parking pavement edges.

**G. Service and Access Aprons.**

1. Paved aprons shall be provided adjacent to loading docks and dumpsters.
2. For programming purposes, a minimum of 60 lineal feet per foot of width of the loading docks and 30 lineal feet for dumpsters.
3. For programming purposes, rigid pavement will be a minimum of eight inches (8") of reinforced concrete. Rigid pavements shall be installed over at least six inches (6") of compacted dense grade crushed stone over six inches (6") of compacted course grade crushed stone. Geotechnical fabrics are authorized. Adequate drainage for paved area is required.

- H. Security Fencing and Barriers.** A security-type fence constructed with materials consistent with the design and appearance of the building may be included in the project. This fence should be no less than 8-FT in height, should act as a visual barrier and have anti-climber provisions for Official and Staff Vehicle Parking Areas. Generally, the fence should be tied to the building(s) in order to provide the most economical enclosure of the protected area. The

fencing shall be located at least five feet (5'-0") from the edge of the parking pavement.

**I. Utilities.**

1. All building utility service connections should be underground.
2. The length of service for each utility is limited to the distance of the shortest run or most appropriate approach from the building to the property line adjacent to the public right-of-way.
3. Direct-burial cable for telephone and electric service connections, plus conduit where the service connection must pass under a paved area, is authorized.
4. Court of Justice funding, support and participation for utilities shall not include any installation or upgrade of local distribution systems or sanitary sewage treatment system.

**J. Exterior Fire Protection:** Consideration will be given to the size of the structure, the type of construction, and the exposure to fire hazard that it creates for or receives from nearby buildings. Except in cases of conflict with State requirements, exterior fire protection should be excavated. Where the facility is to be built in a community served by municipal or private water systems and fire fighting forces, fire hydrants and a water main may be provided to ensure that two fire hydrants (including existing) are within 100-FT of the building. Extension of water mains for fire protection is limited to the shortest length from the existing main required to locate the hydrants within 100-FT, but not less than 50-FT of the building with no more than 100-FT of pipe located outside the project property.

**K. Access Road(s) and Entrance Throats:** The exact amount and type of pavement will be determined at the preliminary design review by AOC General Manager of Facilities based on an economical and practical site facility layout. For programming purposes the following criteria shall be used:

1. The primary entrance/access road is authorized a width of no less than 24-FT.

2. Other access roads (for official and staff parking areas) should not exceed 24-FT in width.

3. Access roads and entrance throats shall be eight inches (8") of reinforced concrete installed over at least six (6") of compacted dense grade crushed stone over six inches (6") of compacted course grade crushed stone. Geotechnical fabrics are authorized. Adequate drainage for paved area is required.

4. Rigid concrete curbs may be on pavement edges.

**L. Walks:** A system of walks, for programming purposes, is generally limited to paved walkways by site layout. The exact amount of pavement will be determined at the preliminary design review by AOC based on an economical and practical site facility layout, site compliance with A.D.A. requirements.

**M. Flagpole.** Three (3) ground-set aluminum flagpoles with a maximum height of 30-FT shall be provided.

**N. Lawn/Garden Sprinkler System** An efficient lawn/garden sprinkler system is authorized for court facilities grounds and gardens, if authorized by the AOC General Manager of Facilities.

Table 4.1 Satellite Facilities Allowances

Functional Area	Allowance	Functional Area	Allowance
<b>1. Non-Jury/Family Courtrooms 1/</b>		<b>6. Circuit Court Clerk Areas</b>	
Courtroom Litigation Areas	700 SF	Assistant Circuit Clerk Office	250 SF
Courtroom Spectator Areas	250 SF	Clerk's Restroom	64 SF
Vestibule/Security Check	100 SF	Supervisor Areas 6/	120 SF
Public Waiting Areas	400 SF	Clerk Staff Workstations - Basic	200 SF
Segregated Public Waiting Area	150 SF	Add for each required position	80 SF
Child Waiting Room	150 SF	Permanent Counter Workstations	100 SF
Child Waiting Area Restroom	64 SF	Add for each Counter Station	20 SF
Child Waiting Area Observation Room	60 SF	Public Queuing and Waiting - Basic	300 SF
Juvenile Waiting Room	150 SF	Add for each Counter Station - Add	40 SF
Juvenile Waiting Area Restroom	64 SF	Cashier 5/	60 SF
Juvenile Waiting Area Observation Room	60 SF	Drive Through Cashier Station 7/	200 SF
Interview Room	150 SF	Driver's License Area 6/	125 SF
Attorney/Client Areas	150 SF	Records Review Area - Basic	120 SF
Prosecutor's Areas	150 SF	Add for each Courtroom & Hearing Rm.	10 SF
Law Enforcement Waiting Areas	100 SF	Active Records Storage - Basic	300 SF
Secure Holding Area	80 SF	Add for each Courtroom & Hearing Rm.	100 SF
Trial Storage Area	80 SF	Inactive Records Storage - Basic	400 SF
Audio/Visual Equipment Area - Basic	80 SF	Add for each Courtroom & Hearing Rm.	120 SF
<b>2. Non-Jury/Traffic Courtroom 1/</b>		Archived Records Storage - Basic	200 SF
Courtroom Litigation Areas	800 SF	Add for each Courtroom & Hearing Rm.	50 SF
Courtroom Spectator Areas	1,200 SF	Evidence Storage - Basic	300 SF
Vestibule/Security Check	100 SF	Add for each Courtroom & Hearing Rm.	50 SF
Public Waiting Areas	800 SF	Copy/FAX/Mail - Basic	80 SF
Interview Room	150 SF	Add for each Courtroom & Hearing Rm.	5 SF
Interview Room	150 SF	Conference/Training Room - Basic	120 SF
Attorney/Client Areas	150 SF	Add for each Staff member	5 SF
Attorney/Client Areas	150 SF	Staff Lounge Area - Basic	150 SF
Attorney/Client Areas	150 SF	Add for each Staff member	5 SF
Prosecutor's Areas	150 SF	Male Staff Restroom - Basic	62 SF
Law Enforcement Waiting Areas	200 SF	Add for each Staff member	2 SF
Trial Storage Area	80 SF	Female Staff Restroom - Basic	62 SF
Audio/Visual Equipment Area - Basic	80 SF	Add for each Staff member	3 SF
<b>3. Non-Jury Courtrooms</b>		Office Storage Area - Basic	60 SF
Formal Hearing Room	800 SF	Add for each Staff member	2 SF
Commissioner Hearing Room 2/	600 SF	Multipurpose Work/Meeting Room(s) - Basic	200 SF
<b>4. Judge's &amp; Commissioner's Chambers 1/ 2/</b>		Add for each Courtroom	25 SF
Judge's Office	250 SF	Active Records Storage - Basic	300 SF
Judge's Toilet	64 SF	Add for each Courtroom & Hearing Rm.	100 SF
Conference/Hearing Room	250 SF	Inactive Records Storage - Basic	400 SF
Law Clerk 3/	150 SF	Add for each Courtroom & Hearing Rm.	120 SF
Court Administrator 3/	120 SF	Archived Records Storage - Basic	200 SF
Court Recorder 3/	100 SF	Add for each Courtroom & Hearing Rm.	20 SF
Court Secretary 3/	100 SF	Evidence Storage - Basic	100 SF
Court Social Worker 3/	150 SF	Add for each Courtroom & Hearing Rm.	20 SF
Files Area	60 SF	Copy/FAX/Mail - Basic	100 SF
Waiting Area	120 SF	Add for each Courtroom & Hearing Rm.	5 SF
Staff Restroom	64 SF	Conference/Training Room - Basic	250 SF
Court Storage	50 SF	Add for each Staff member	10 SF
Coffee Station	40 SF	Staff Lounge Area - Basic	150 SF
Copy/Mail/FAX Area	50 SF	Add for each Staff member	5 SF
<b>Judicial Staff Break Area - Basic</b>	150 SF	Male Staff Restroom - Basic	40 SF
Add for each Staff member	5 SF	Add for each Staff member	5 SF
<b>5. Law Library</b>		Female Staff Restroom - Basic	80 SF
Library - Basic	150 SF	Add for each Staff member	8 SF
Add for each Courtroom	50 SF	Office Storage Area - Basic	60 SF
Work Area - Basic	100 SF	Add for each Staff member	5 SF
Add for each Courtroom	20 SF		
Librarian Area 3/	150 SF		
Copy Area	40 SF		
ADP Area - Basic	100 SF		
ADP Area - Add	10 SF		
Storage Area - Basic	40 SF		
Storage Area - Add	2 SF		
Attorney Workroom/Lounge - Basic	100 SF		
Add for each Courtroom & Hearing Rm.	20 SF		

**Notes:**

1/ One for each required Judge or Domestic Relations Commissioner.

2/ One for each required Commissioner, alternate Large and Basic hearing rooms.

3/ One for each required position.

4/ If authorized by AOC General Manager of Facilities.

5/ Non-Court of Justice function.

~ Continued ~

Table 4.1 Satellite Facilities Allowances - Continued

Functional Area	Allowance	Functional Area	Allowance
<b>7. Court Security &amp; Law Enforcement Facilities</b>		File Storage Area	40 SF
Bailiff Workroom – Basic	200 SF	Add for each Courtroom & Hearing Rm.	5 SF
Add for Each Bailiff	10 SF	Office Storage Area - Basic	40 SF
Bailiff Storage	40 SF	Add for each Courtroom & Hearing Rm.	5 SF
Security Supervisor <u>3/</u>	120 SF	Copy/FAX/Mail - Basic	20 SF
Security Personnel Basic	100 SF	Add for each Courtroom & Hearing Rm.	5 SF
Add for Each Security Officer <u>3/</u>	10 SF	Conference/Training Room - Basic	250 SF
Security Control Room – Basic	120 SF	Add for each Staff member	5 SF
Add for each Courtroom	10 SF	Waiting Area	100 SF
Security Control Room Restroom	64 SF	Staff/Technician Break Area - Basic	150 SF
Security Storage	40 SF	Add for each Technician/Technician	5 SF
Security & Enforcement Restroom/Shower	60 SF	Male Restroom/Shower/Locker Rm - Basic	250 SF
Add for Each Bailiff/Security Officer	10 SF	Add for each Technician	15 SF
Security & Enf. Workroom/Lounge - Basic	200 SF	Female Restroom/Shower/Locker – Basic	150 SF
Add for each Courtroom	10 SF	Add for each Technician	15 SF
		Loading Dock - Basic	120 SF
<b>8 Non-Court Affiliated Public Service Service Suite <u>5/</u></b>		Add for each Courtroom & Hearing Rm.	10 SF
Staff Director	300 SF	Central Shipping/Receiving Area	100 SF
Restroom	64 SF	Add for each Courtroom & Hearing Rm.	10 SF
Supervisor Areas <u>3/</u>	120 SF	Facility & Allied Trades Storage - Basic	200 SF
Staff Workstations <u>3/</u>	100 SF	Add for each Courtroom & Hearing Rm.	10 SF
Permanent Counter Work Area - Basic	100 SF	Ground Support Equipment Storage - Basic	200 SF
Add for each Counter Station - Add	20 SF	Add for each Courtroom & Hearing Rm.	20 SF
Drive Through Cashier Station <u>4/</u>	200 SF	Hazardous Material Storage Area - Basic	60 SF
Public Queuing and Waiting – Basic	200 SF	Add for each Courtroom & Hearing Rm.	5 SF
Add for each Counter Station - Add	40 SF	Flammable Materials Storage Area - Basic	40 SF
File Storage Area	60 SF	Add for each Courtroom & Hearing Rm.	5 SF
Add for each Administrative Staff Member	20 SF	Controlled Waste Handling Area	40 SF
Copy/FAX/Mail – Basic	100 SF		
Add for each Staff Member	5 SF	<b>11. Common Use Areas</b>	
Conference/Training Room – Basic	200 SF	Building Entrances/Security Checks - Basic	500 SF
Add for each Staff member	10 SF	Add for each Courtroom & Hearing Rm.	50 SF
Staff Break Area – Basic	150 SF	Men's Public Restrooms - Basic	200 SF
Add for each Staff member	5 SF	Add for each Courtroom & Hearing Rm.	100 SF
Male Staff Restroom – Basic	40 SF	Women's Public Restrooms - Basic	250 SF
Add for each Staff member	5 SF	Add for each Courtroom & Hearing Rm.	120 SF
Female Staff Restroom – Basic	80 SF	Public Vending/Lounge Area - Basic	400 SF
Add for each Staff member	6 SF	Add for each Courtroom & Hearing Rm.	20 SF
Office Storage Area – Basic	20 SF	Public Telephone Areas - Basic	100 SF
Add for each Staff member	5 SF	Add for each Courtroom & Hearing Rm.	20 SF
		First Aid Room - Basic	150 SF
<b>9. Court Affiliated &amp; Support Offices</b>		Add for each Courtroom & Hearing Rm.	10 SF
Staff Director	200 SF		
Professional Staff <u>3/</u>	150 SF	<b>12. Factored Areas (Net Functional times %)</b>	
Supervisors <u>3/</u>	120 SF	Mechanical/Electrical/ADP/Telecom	6.0 %
Support Staff <u>3/</u>	100 SF	Circulation - Single Floor Building	20.0 %
Public Queuing and Waiting – Basic	100 SF	Circulation - Multiple Floor Building	25.0 %
Add for each Staff Member	20 SF	Walls and Partitions	10.0 %
File Storage Area	60 SF	Facilities Maintenance & Storage	2.0 %
Add for each Staff Member	10 SF		
Copy/FAX/Mail – Basic	40 SF		
Add for each Staff Member	5 SF	<b>Notes:</b>	
Conference/Training Room - Basic	200 SF	<u>1/</u> One for each required Judge or Domestic Relations Commissioner.	
Add for each Staff member	10 SF	<u>2/</u> One for each required Commissioner, alternate Large and Basic hearing rooms.	
Staff Break Area - Basic	120 SF	<u>3/</u> One for each required position .	
Add for each Staff member	5 SF	<u>4/</u> If authorized by AOC General Manager of Facilities.	
Male Staff Restroom - Basic	40 SF	<u>5/</u> Non-Court of Justice function.	
Add for each Staff member	5 SF		
Female Staff Restroom - Basic	80 SF		
Add for each Staff member	6 SF		
Office Storage Area - Basic	20 SF		
Add for each Staff member	5 SF		
Workrooms – Basic	200 SF		
Add for each six (6) Courtrooms	200 SF		
<b>10. Facility Support Areas</b>			
Facility Engineer <u>3/</u>	150 SF		
Mechanical/Maintenance Supervisors <u>3/</u>	120 SF		
Administrative Support Staff <u>3/</u>	100 SF		
Central Mail Room - Basic	100 SF		
Add for each Court/Commission	10 SF		
Allied Trades Area - Basic	100 SF		
Add for each Allied Trades Section	20 SF		
Technical Publications & Drawings Library	100 SF		



## Chapter 5. Supreme Court, Court of Appeals and State Law Library Facilities

---

### 5-1. General.

**A. Standards.** This chapter establishes the space allowances for Commonwealth of Kentucky's Court of Justice's central facility. This facility is to be constructed as the focal point of the Commonwealth's Judicial Branch of Government near the State Capital complex of structures. It is a permanent or "Monument" building of equal stature and quality as the state capital. The facility provides space for the Supreme Court, the Court of Appeals, the State Law Library, and the visiting public. The Administrative Office of the Courts (AOC) determines the scope of all Court of Appeals and Supreme Court facilities. Environmental protection features required by federal, state, and local codes and regulation will be incorporated into the construction design.

**B. Collocated Facilities** The Court of Justice's Administrative Office of the Courts facilities may be located in close proximity to this facility only in such manner as not to distract from the facility's stature and predominance.

**C. Leased & Interim Facilities** Refer to Chapter 6 Leased Judicial Facilities.

**D. Circulation.** The total net floor area may be increased by 35 percent for staff and public interfunctional circulation space such as atriums, corridors, staircases, entrances and lobbies as required for an open, expansive and well planned functional layout.

**E. Walls and Partitions.** The total floor area, which includes all functional space allowances and interfunctional circulation, may be increased by 10 percent to provide for interior and exterior walls and partitions.

### F. Flexibility.

1. Space allowances for any authorized functional area may be increased or decreased by up to 15 percent, provided that the total allowable functional net area is not increased thereby in order to provide the necessary off-setting reduction for these space increases for any functional area.

2. The total allowable functional net area may be decreased by no greater than 10 percent.

3. Any increase or decrease of an allowable functional area greater than 15 percent of a functional area shall be considered an Exception to Criteria. See Paragraph 1-4J(6).

4. Removal of Functional Areas: The AOC General Manager of Facilities or the Project Development Board, with concurrence of the AOC General Manager of Facilities may remove functional areas from the proposed facility.

5. When functional areas are completely removed from a facility, however, the total allowable floor space must be reduced by a like amount.

### 5-2. General Construction of Building(s)

#### A. General:

1. The building(s) (primary facility) will be constructed of materials rated as non-combustible. The exterior walls shall be stone which is complementary to the Capital of the Commonwealth of Kentucky with other suitable systems.

2. The roofing system shall be rated to last at least 100-years.

3. The floor normally will be concrete with a finished stone or other suitable surfaces in public areas, except for service areas with floor loads detailed in Court of Justice Rule of Administrative Procedure Part X., Section III., Court Facilities Design Guide for specific functional areas

4. Air conditioning for programming purposes should be estimated by determining total floor area authorized for cooling divided by 300 SF per ton.

5. The general construction of building(s) shall be governed by guidance from the Administrative Office of the Courts General Manager of Facilities.

6. The authorization of final design must be granted by the Chief Justice of the Supreme as detailed in Court of Justice Rule of Administrative Procedure Part X., Section I., Construction Program Development.

**B. Interior Fire Protection:** All new, renovated, adapted, and expanded Court of Justice facilities shall have installed a fire suppression sprinkler system with a centralized control and local and remote (at the local fire response agency) alarms.

**C. Seismic Survivability:** The building shall be designed and constructed for the seismic zone as required by the current edition of the Kentucky Building Code, and applicable local, state and federal codes.

**D. General Security Provisions:** The AOC General Manager of Facilities, or his or her designee, shall determine the level of security provisions to be installed or provided for Court of Justice used facilities. Courts facilities shall have incorporated security measures, which includes, but are not limited to; an internal and external area access limitation systems, internal communication systems, intrusion alert systems and closed circuit video monitoring/recording systems. Other provisions may include perimeter intrusion detection system, area isolation systems, ballistic resistant windows, and Judicial Benches.

**E. Counter Terrorism Considerations:** The AOC General Manager of Facilities, or his or her designee, shall determine the level of counter terrorism provisions to be installed or provided for Court of Justice used facilities. However, as a minimum and to the greatest reasonable extent, buildings shall be designed and constructed so as to minimize potential damage due to explosive devices, non-official vehicles shall be kept a safe distance from the building, entrances shall not allow vehicular access, approaches shall not be of sufficient length for vehicles to achieve barrier breaching speeds. No public or non-security screened staff parking is allowed under primary facility areas. Other counter terrorism provisions may be determined

necessary by the AOC Facilities General Manager and therefore incorporated in or near the facility.

**F. Power Failure Survivability:** The facility shall have an auxiliary power supply and exterior provisions for an external (trailer or skid mounted) electric generator/power plant at a point away from the building. State support for generators and power plants is authorized. As a minimum the provisions for a skid or trailer mounted power plant shall include, within a secure or securable area, a concrete pad, sized to accept a generator/power plant with above ground fuel tank of sufficient size, and a securable external hookup to the facility's electrical system.

### 5-3. Supporting Items

Authorized exterior items (supporting facilities) for projects include but are not limited to:

**A. Site Preparation:** This work includes the clearing and grubbing, stripping and stockpiling topsoil, excavation, embankment, and rough grading operations that are required to develop the project site to sub grade levels and elevations for proper siting and drainage of facilitates (including culverts, head walls, retaining walls, etc.).

**B. Rock Excavation for Building Foundations:** Consideration of this type excavation is required if rock conditions are prevalent within a five (5) mile radius of the proposed construction site(s) as determined if the required geotechnical survey. Unit costs for additional or unanticipated mass and trench rock excavation shall be included as part of all construction bid and contract documents.

**C. Fine Grading and Seeding:** The area within the limits of construction (established by the minimum amount of excavation and embankment work required at the site), for which the existing surface cover has been destroyed or covered, may be fine graded and seeded to provide proper site drainage and control of erosion.

**D. Planting and Sodding.** Planting and Sodding shall be included as an integral part of the planning of the project. For programming purposes, Court of Justice participation for planting trees, shrubs, and vines at facilities (exclusive of grading and seeding or sprigging and sodding for erosion control). The minimum following areas shall be sodded:

1. All lawn areas in front of buildings.
2. Adjacent to structures, minimum of six feet (6'-0").
3. Adjacent to paved areas (including sidewalks), minimum of six feet (6'-0").
4. All slopes with grades greater than 3:1.
5. All areas with the potential for severe erosion.

**E. Secure Elected Officials' Vehicle and Official Vehicle Parking Area.**

1. Secure parking, which is ADA compliant, is authorized for 100 percent of all vehicles, equipment, etc.
2. The parking area(s) shall be securely positioned so as to afford the greatest practical convenience to facility staff entrance(s).
3. This parking area may be combined with staff parking area(s), but shall remain a secure area with controlled access.
4. Vehicles within this parking area shall not be observable from the street level.
5. Off street parking area pavement will be designed and constructed based on the best engineering standards. For programming purposes, rigid pavement will be a minimum of six inches (6") of reinforced concrete and Flexible pavement shall be two inches (2") of base layer and two inches (2") of finish layer. Both rigid and flexible pavements shall be installed over at least six inches of compacted crushed stone. Geotechnical fabrics are authorized. Adequate drainage for paved area is required.
6. The parking area shall have 24' isles and 18' x 9' parking spaces.

7. Rigid concrete or stone curbs shall be installed around parking pavement edges.

**F. Public, Staff and Visitor Parking Areas.**

1. It is assumed that public transportation is not available for "working" visitors or litigants visiting the facility(ies), therefore the parking area size shall provide parking for 100% of authorized staff, 100 percent of the facility's maximum public "working" or litigants' usage or be determined by the Facilities General Manager due to site availability to construct reasonable parking.
2. This facility can expect a constant flow of visits from the Commonwealth's children. Parking for a minimum of 30 large and ten (10) small school busses shall be provided.
3. The parking areas shall be positioned so as to afford the greatest practical convenience to respective (public or staff) facility entrances.
4. Off street parking area pavement will be designed and constructed based on the best engineering standards. For programming purposes, rigid pavement will be a minimum of six inches (6") of reinforced concrete installed over at least six inches (6") of compacted dense grade crushed stone over six inches (6") of compacted course grade crushed stone. Geotechnical fabrics are authorized. Adequate drainage for paved area is required.
5. The parking areas for automobiles shall have 24' isles and 18' x 9' parking spaces.
6. Rigid concrete or stone curbs may be installed around parking pavement edges.

**G. Service and Access Aprons.**

1. Paved aprons shall be provided adjacent to loading docks and dumpsters.
2. For programming purposes, a minimum of 60 lineal feet per foot of width of the loading docks and 30 lineal feet for dumpsters.

3. For programming purposes, rigid pavement will be a minimum of eight inches (8") of reinforced concrete. Rigid pavements shall have be installed over at least six inches (6") of compacted dense grade crushed stone over six inches (6") of compacted course grade crushed stone. Geotechnical fabrics are authorized. Adequate drainage for paved area is required.

**H. Security Fencing/Barrier.** A security-type fence constructed with materials consistent with the design and appearance of the building may be included in the project. This fence should be no less than 8-FT in height, should act as a visual barrier and have anti-climber provisions for Official and Staff Vehicle Parking Areas. Generally, the fence should be tied to the building(s) in order to provide the most economical enclosure of the protected area. The fencing shall be located at least five feet (5'-0") from the edge of the parking pavement.

**I. Utilities.**

1. All building utility service connections shall be underground.
2. The length of service for each utility is limited to the distance of the shortest run or most appropriate approach from the building to the property line adjacent to the public right-of-way.
3. Cable for telephone and electric service connections shall be installed in underground conduits conduit.

**K. Exterior Fire Protection:** Consideration will be given to the size of the structure, the type of construction, and the exposure to fire hazard that it creates for or receives from nearby buildings. Except in cases of conflict with State requirements, exterior fire protection should be excavated. Where the facility is to be built in a community served by municipal or private water systems and fire fighting forces, fire hydrants and a water main may be provided to ensure that two fire hydrants (including existing) are within 100-FT of the building. Extension of water mains for fire protection is limited to the shortest length from the existing main required to locate the hydrants within 100-FT, but not less than 50-FT of the building with no more than

100-FT of pipe located outside the project property.

**L. Access Road(s)/Entrance Throats:** The exact amount and type of pavement will be determined at the preliminary design review by AOC General Manager of Facilities based on an economical and practical site facility layout. For programming purposes the following criteria shall be used:

1. The primary entrance/access road is authorized a width of no less than 28-FT.
2. Other access roads (for official and staff parking areas) should not exceed 28-FT in width.
3. Access roads and entrance throats shall be eight inches (8") of reinforced concrete installed over at least six (6") of compacted dense grade crushed stone over six inches (6") of compacted course grade crushed stone. Geotechnical fabrics are authorized. Adequate drainage for paved area is required.
4. Rigid concrete curbs may be installed on pavement edges. Stone curbs shall be installed in areas of public visibility or areas subjected to heavy use.

**M. Walks:** A system of walks, for programming purposes, is generally limited to paved walkways by site layout. The exact amount of pavement will be determined at the preliminary design review by AOC based on an economical and practical site facility layout, site compliance with A.D.A. requirements.

**N. Flagpoles:** Three (3) ground-set aluminum flagpoles with a maximum height of 30-FT shall be provided.

**O. Lawn/Garden Sprinkler System** An efficient lawn/garden sprinkler system is authorized for court facilities grounds and gardens, if authorized by the AOC General Manager of Facilities.

**Table 5.1 Supreme Court, Court of Appeals and State Law Library Facilities Allowances**

<b>Functional Area</b>	<b>Allowance</b>	<b>Functional Area</b>	<b>Allowance</b>
<b>1 Supreme Courtroom</b>		<b>5 Supreme Court Clerk Areas</b>	
Courtroom Litigation Area	2,000 SF	Supreme Court Clerk' Office	325 SF
Courtroom Spectator Areas	3,000 SF	Clerk's Restroom	64 SF
Justices' Workroom/Lounge/Robing Area	600 SF	Department Assistant 1/	200 SF
Workrm/Lounge/Robing Men's' Restroom	150 SF	Deputy Clerk II (Supervisory) 1/	175 SF
Workrm/Lounge/Robing Women's' Restroom	150 SF	Deputy Clerk Workstations - Basic	200 SF
Vestibule/Security Check	200 SF	Add for each required position	120 SF
Public Waiting Areas	1,500 SF	Permanent Counter Workstations	300 SF
Interview Room	300 SF	Public Queuing and Waiting	300 SF
Attorney/Client (Plaintiff) Area	400 SF	Records Review Area	300 SF
Attorney/Client (Defendant) Area	400 SF	Active Records Storage	2,500 SF
Courtroom Storage Area	120 SF	Inactive Records Storage	4,000 SF
Audio/Visual Equipment Area	100 SF	Archived Records Storage	1,000 SF
Press Room	300 SF	Copy/FAX/Mail	300 SF
		Conference/Training Room - Basic	250 SF
<b>2 Justices' Chambers 1/</b>		Add for each Staff member	10 SF
Justice's Office	425 SF	Staff Lounge Area - Basic	150 SF
Add for Chief Justice	100 SF	Add for each Staff member	10 SF
Justice's Toilet	100 SF	Male Staff Restroom - Basic	40 SF
Conference/Work Room	300 SF	Add for each Staff member	5 SF
Add for Chief Justice	300 SF	Female Staff Restroom - Basic	60 SF
Staff Attorney Office 5/	250 SF	Add for each Staff member	6 SF
Court Recorder 1/	175 SF	Office Storage Area - Basic	60 SF
Court Secretary 1/	175 SF	Add for each Staff member	5 SF
Files Area	150 SF		
Waiting/Reception Area	150 SF	<b>6 Supreme and Appellate Court Law Library</b>	
Add for Chief Justice	150 SF	Library	2,000 SF
Staff Restroom	64 SF	Work Area	750 SF
Chambers Storage	100 SF	Librarian Area 1/	250 SF
Drink/Snack Area (in chambers)	60 SF	Copy Area	100 SF
Copy/Mail/Fax	50 SF	ADP Area	200 SF
Staff Workroom	400 SF	Storage Area	200 SF
Staff Break Area	400 SF	Attorney Workroom	300 SF
Staff Workroom/Break Area Restrooms	200 SF	Men's Restrooms	100 SF
		Women's Restrooms	120 SF
<b>3 Chief of Staff Areas (Collocated with Chief Justice Chambers) Areas</b>		<b>7 Appellate Courtroom</b>	
Chief of Staff's Office	400 SF	Courtroom Litigation Area	1,500 SF
Chief of Staff's Toilet	64 SF	Courtroom Spectator Area	2,500 SF
Conference/Work Room	400 SF	Judges' Workroom/Lounge/Robing Area	600 SF
Administrative Assistant 1/	250 SF	Workrm/Lounge/Robing Men's' Restroom	120 SF
Executive/Legislative Liaison 1/	250 SF	Workrm/Lounge/Robing Women's' Restroom	120 SF
Judicial Secretary 1/	175 SF	Vestibule/Security Check	200 SF
Secretary/Receptionist 1/	175 SF	Public Waiting Areas	1,000 SF
File Storage Area	150 SF	Attorney/Client (Plaintiff) Area	400 SF
Staff Restroom	100 SF	Attorney/Client (Defendant) Area	400 SF
Office Storage	100 SF	Press Room	200 SF
Drink/Snack Area	60 SF		
Copy/Mail/FAX Area	50 SF	<b>8 Appellate Judge's Chambers 1/</b>	
<b>4 Supreme Court Administrator Areas</b>		Judge's Office	400 SF
Administrator	325 SF	Add for Chief Appellate Judge	75 SF
Administrator's Toilet	64 SF	Judge's Toilet	100 SF
Administrative Assistant 1/	200 SF	Conference/Work Room - Basic	300 SF
Judicial Secretary 1/	175 SF	Add for Chief Appellate Judge	200 SF
Secretary/Receptionist 1/	175 SF	Chief Staff Attorney 1/	300 SF
Reception and Waiting Area	150 SF	Senior Staff Attorney 1/	250 SF
File Storage Area	1,000 SF	Administrative Assistant 1/	250 SF
Copy/FAX/Mail	100 SF	Judicial Secretary 1/	150 SF
Conference/Training Room	300 SF	Court Recorder 1/	150 SF
Staff Break Area	150 SF	Files Area	250 SF
Male Staff Restroom	100 SF	Waiting/Reception Area	150 SF
Female Staff Restroom	120 SF	Add for Chief Appellate Judge	100 SF
Office Storage Area	100 SF	Staff Restroom	100 SF
		Storage	100 SF
		Drink/Snack Area	100 SF
		Copy/Mail/FAX Area	50 SF

Footnotes:

1/ Per required position

Table 5.1 - Continued

<u>Functional Area</u>	<u>Allowance</u>	<u>Functional Area</u>	<u>Allowance</u>
<b>9 Appellate Panel Suite</b>		Archived Records Storage	200 SF
Judge's Office #1	350 SF	Add per Appellate Judge	80 SF
Judge's Toilet	64 SF	Copy/FAX/Mail	100 SF
Judge's Office #2	300 SF	Add per Appellate Judge	5 SF
Judge's Toilet	64 SF	Conference/Training Room - Basic	150 SF
Judge's Office #3	300 SF	Add for each Staff member	10 SF
Judge's Toilet	64 SF	Staff Break Area - Basic	100 SF
Conference/Work/Hearing Room	400 SF	Add for each Staff member	10 SF
Law Clerks Area	400 SF	Male Staff Restroom - Basic	50 SF
Court Secretary	120 SF	Add for each Staff member	5 SF
Files Area	150 SF	Female Staff Restroom - Basic	60 SF
Waiting Area	200 SF	Add for each Staff member	6 SF
Male Staff Restroom	100 SF	Office Storage Area - Basic	50 SF
Female Staff Restroom	100 SF	Add for each Staff member	5 SF
Court Storage	100 SF		
Copy/FAX/Mail	60 SF		
Staff Break Area	200 SF		
		<b>13 State Law Library</b>	
<b>10 Supreme Court and Appellate Staff Attorney Areas</b>		Library	15,000 SF
Senior Staff Attorneys 1/	250 SF	Work Area	2,000 SF
Conference Staff Attorneys 1/	225 SF	State Law Librarian's Office	325 SF
Staff Attorneys 1/	200 SF	Librarian's Restroom	64 SF
Legal Assistants 1/	150 SF	Assistant State Law Librarian 1/	250 SF
Paralegals 1/	150 SF	Administrative/Executive Assistant/Specialists 1/	200 SF
Judicial Secretaries 1/	150 SF	<b>Senior Staff Attorneys 1/</b>	<b>250 SF</b>
Reception and Waiting Area	300 SF	Data Research Specialist 1/	175 SF
Conference and Work Areas – Basic	200 SF	Research and Catalog Librarians 1/	175 SF
Add per Attorney	20 SF	Assistant Librarians 1/	150 SF
Copy/FAX/Mail Area - Basic	50 SF	Accounts Supervisors 1/	150 SF
Add per Staff member	3 SF	Account Clerks 1/	125 SF
File Areas – Basic	50 SF	Secretary/Receptionist 1/	150 SF
Add per Staff member	10 SF	Shipping/Receiving	400 SF
Staff Break Area – Basic	120 SF	Library Storage	1,000 SF
Add per Staff member	10 SF	Entrance Vestibule/Security Check	200 SF
Men's Restroom – Basic	50 SF	File Storage Area	400 SF
Add per Staff member	5 SF	Copy/FAX/Mail	150 SF
Women's Restroom – Basic	60 SF	ADP Area	200 SF
Add per Staff member	6 SF	Staff Break Area - Basic	100 SF
Office Storage Area – Basic	20 SF	Add for each Staff member	10 SF
Add per Staff member	5 SF	Men's Restroom – Basic	50 SF
		Add per Staff member	5 SF
		Women's Restroom – Basic	60 SF
		Add per Staff member	6 SF
		Office Storage Area – Basic	20 SF
		Add per Staff member	5 SF
		Staff/Attorney Workroom/Training Room	400 SF
<b>11 Court of Appeals Administrator Areas</b>			
Administrator	300 SF	<b>14 Court of Justice Reception and Public Areas</b>	
Administrator's Toilet	64 SF	Court of Justice Reception Room	800 SF
Administrative/Executive Assistant/Specialists 1/	200 SF	Court of Justice Museum Area	1,200 SF
Judicial Secretary 1/	150 SF	Gift Shop	600 SF
Secretary/Receptionist	150 SF	Conference/Video teleconference Center	
Reception and Waiting Area	200 SF	Reception and Waiting Area	300 SF
File Storage Area	1,000 SF	Center Manager's Office	250 SF
Copy/FAX/Mail	100 SF	Secretary/Receptionist	150 SF
Conference/Training Room	300 SF	Drink/Snack Area	150 SF
Staff Break Area	150 SF	Conference (multimedia/teleconference) Room #1	800 SF
Male Staff Restroom	100 SF	Conference (multimedia/teleconference) Room #2	400 SF
Female Staff Restroom	120 SF	Conference (multimedia) Room #3	400 SF
Office Storage Area	20 SF	Control Room	300 SF
		Media and Equipment Storage	200 SF
<b>12 Court of Appeals Clerk Areas</b>		Food Service/Preparation/Storage	400 SF
Appellate Court Clerk' Office	300 SF	Table and Chair Storage	300 SF
Appellate Clerk Restroom	64 SF	Audio Visual Equipment Areas	250 SF
Department Assistant 1/	200 SF		
Deputy Clerk II (Supervisory) 1/	175 SF	<b>15 Court Security Facilities</b>	
Deputy Clerk Workstations - Basic	200 SF	Court Security Workroom	400 SF
Add for each required position	120 SF	Security Supervisor 1/	250 SF
Permanent Counter Workstations	300 SF	Security Control Room	250 SF
Public Queuing and Waiting - Basic	300 SF	Security Control Room Restroom	64 SF
Cashier	80 SF	Security Storage	60 SF
Records Review Area	300 SF	Security Restroom/Lockers/Shower	300 SF
Active Records Storage	300 SF	Law Enforcement Workroom	200 SF
Add per Appellate Judge	100 SF	Building Entrance/Security Check - Basic	2,000 SF
Inactive Records Storage	500 SF	First Aid Room	150 SF
Add per Appellate Judge	100 SF		

Footnotes:

1/ Per required position.

Table 5.1 - Continued

<u>Functional Area</u>	<u>Allowance</u>
<b>16 Facility Support Areas</b>	
Building Superintendent	200 SF
File Storage Area	40 SF
Office Storage Area - Basic	40 SF
Copy/FAX/Mail - Basic	20 SF
Staff/Technician Break Area - Basic	200 SF
Male Restroom/Shower/Locker Rm - Basic	150 SF
Female Restroom/Shower/Locker Rm - Basic	200 SF
Loading Dock/Receiving Area	300 SF
Facility and Allied Trades and Trades Storage	300 SF
Ground Support Equipment and Supply Storage	200 SF
Hazardous Material Storage Area	60 SF
Flammable Materials Storage Area	40 SF
Controlled Waste Handling Area	40 SF
<b>17 Common Use Areas</b>	
Building Main Lobby	2,500 SF
Men's Public Restrooms	1,500 SF
Women's Public Restrooms	1,800 SF
Public Vending/Lounge Area	1,200 SF
Public Telephone Areas	100 SF
<b>18 Factored Areas (Net Functional times %)</b>	
Mechanical/Electrical/ADP/Telecom	6.0 %
Circulation - Multiple Floor Building	27.5 %
Walls and Partitions	10.0 %
Facilities Maintenance & Storage	2.0 %

## Footnotes:

1/ Per required position.

This page intentionally left blank.



## Chapter 6. Leased and Interim Judicial Facilities

### 6-1. General.

This chapter establishes the space allowances for Leased and Interim Judicial Facilities. These facilities include private sector leased and memorandum of agreement procured Justice's and Judge's chambers, court affiliated and support agency areas, courtrooms, and AOC offices, work areas, and storage.

### 6-2. Leased and Interim Judicial Facilities Standards.

**A. General.** The Facility should present a dignified and professional appearance that indicates the importance of the Judicial System. If possible, the facility should be conveniently located for both staff and the public.

**B. Functional and Non-Functional Areas.** Judicial Chamber authorizations are detailed in Tables 6-1, 6-2 and 6-3

Other functional area authorizations are determined by using Table 3-1 (Urban and Metropolitan Court Facilities) and Table 3-2 and Table 7-1 (Administrative Office of the Courts).

**C. Flexibility.** Space allowance for any functional area be increased by up to 15 percent or reduced by 20-percent. When functional areas are completely removed from a facility, however, the total allowable floor space must be reduced by a like amount.

**D. General Security Provisions** Judicial facilities shall have incorporated security measures which includes, but are not limited to; entrances which cannot be accessed easily by motor vehicles, limited use of windows, high-grade locks on solid core doors, ballistic resistant windows (if necessary), etc.

### 6-3. Supporting Items

Authorized exterior items are as follows:

**A. Secure Official and Staff Vehicle Parking Area.** Enclosed or outside parking is authorized for 100 percent of all vehicles, equipment, etc.

**B. Public Parking Areas.** Off street parking areas is authorized for 80-percent of the anticipated public attending/visiting the facility.

**C. Signage.** Interior and exterior building-mounted facilities sign authorized. This sign should identify the Courts and Offices contained within the Building.

**Table 6-1 Supreme Court Justice and Court of Appeals Judge Leased Chambers**

<u>Functional Area</u>	<u>Allowance</u>
<b>Justice's or Judge's Chambers</b>	
Functional Areas	
Justice/Judge's Office	375 SF
Justice/Judge's Toilet	64 SF
Add for Chief Justice's Office	100 SF
Add for Chief Appellate Judge's Office	75 SF
Conference/Hearing Room	300 SF
Add for Chief Justice or Chief Judge	100 SF
Staff Attorney's Office 1/	175 SF
Law Library 2/	400 SF
Court Recorder 1/	150 SF
Court Secretary 1/	150 SF
Files Area	150 SF
Waiting Area	120 SF
Add for Chief Justice or Chief Judge	30 SF
Staff Restroom	64 SF
Court Storage	40 SF
Drink/Snack Area	120 SF
Add for Chief Justice or Chief Judge	30 SF
Copy/Mail/FAX Area	40 SF
Non-Functional Areas	
Mechanical/Electrical/ADP/Telecom	62 SF
In-Office Circulation	150 SF
Walls and Partitions	100 SF
Facilities Maintenance & Storage	40 SF
<b>Recapitulations</b>	
<b>Justice's or Judge's Chambers</b>	
Functional Areas	2,178 SF
Non-Functional Areas	352 SF
Total Chamber Authorization	2,530 SF
Minimum Authorization (80% of Authorized)	2,024 SF
Maximum Authorization (115% of Authorized)	2,910 SF
<b>Chief Justice's Chambers</b>	
Functional Areas	2,438 SF
Non-Functional Areas	352 SF
Total Chamber Authorization	2,790 SF
Minimum Authorization (80% of Authorized)	2,232 SF
Maximum Authorization (115% of Authorized)	3,209 SF
<b>Chief Appellate Judge's Chambers</b>	
Functional Areas	2,413 SF
Non-Functional Areas	352 SF
Total Chamber Authorization	2,765 SF
Minimum Authorization (80% of Authorized)	2,212 SF
Maximum Authorization (115% of Authorized)	3,180 SF

Note: Add 175 square feet for each additional Staff Attorney.

**Table 6-2 Circuit, Family, and District Court Judge Leased Chambers**

<b>Functional Area</b>	<b>Allowance</b>
<b>Judge's Chambers</b>	
Functional Areas	
Judge's Office	250 SF
Justice/Judge's Toilet	64 SF
Conference/Hearing Room	250 SF
Law Clerk's Office 1/	150 SF
Court Administrator	120 SF
Court Reporter	100 SF
Court Secretary 1/	100 SF
Court Social Worker1/	150 SF
Law Library 2/	300 SF
Files Area	60 SF
Court Bailiff	40 SF
Reception/Waiting Area	120 SF
Staff Restroom	64 SF
Court Storage	40 SF
Drink/Snack Area	100 SF
Copy/Mail/FAX Area	40 SF
Non-Functional Areas	
Mechanical/Electrical/ADP/Telecom	62 SF
In-Office Circulation	150 SF
Walls and Partitions	100 SF
Facilities Maintenance & Storage	40 SF
<b>Recapitulation</b>	
<b>Judge's Chambers</b>	
Functional Areas	2,200 SF
Non-Functional Areas	40 SF
Total Chamber Authorization	2,240 SF
Minimum Authorization (80% of Authorized)	1,792 SF
Maximum Authorization (115% of Authorized)	2,576 SF

## Footnotes:

1/ Per required position.

2/ May be shared by two or more Judges.

**Table 6-3 Court Affiliated and Support Leased Offices**

<b>Functional Area</b>	<b>Allowance</b>
<b>Court Affiliated &amp; Support Offices</b>	
Functional Areas	
Staff Director/Manager	150 SF
Professional Staff (per staff member)	150 SF
Supervisory Staff (per staff member)	120 SF
Support/Administrative Staff (per position)	100 SF
Public Queuing and Waiting - Basic	100 SF
Add for each Staff Member	10 SF
File Storage Area	60 SF
Add for each Staff Member	10 SF
Copy/FAX/Mail - Basic	40 SF
Add for each Staff Member	5 SF
Conference/Training Room - Basic	200 SF
Add for each Staff member	20 SF
Office Storage Area - Basic	20 SF
Add for each Staff member	5 SF
Support Areas	
Drink/Snack Area	100 SF
Add for each Staff member	5 SF
Male Restroom	64 SF
Female Restroom	64 SF
Non-Functional Areas	
Mechanical/Electrical/ADP/Telecom (minimum)	80 SF
In-Office Circulation	15% of Functional Areas
Walls and Partitions	10% of Functional Areas
Facilities Maintenance & Storage	40 SF
Minimum Authorization	80% of Authorized Areas
Maximum Authorization	115% of Authorized Areas

## Chapter 7. Administrative Office of the Courts Facilities

---

### 7-1. General.

**A. Standards.** This chapter establishes the space allowances for Commonwealth of Kentucky's Court of Justice Administrative Office of the Courts (AOC) central facility(ies). This or these facilities are to be constructed in conjunction with the Supreme Court Facility, which is the focal point of the Commonwealth's Judicial Branch of Government near the State Capital complex of structures. It is a permanent or "Near- Monument" building of complementary stature and quality as the Supreme Court Facility. The facility provides space for the various agencies and functions of the AOC. The determination of the scope of AOC facilities is determined by the Administrative Office of the Courts (AOC). Environmental protection features required by federal, state, and local codes and regulation will be incorporated into the construction design.

**B. Leased & Interim Facilities** Refer to Chapter 6 Leased Judicial Facilities.

**C. Circulation:** The total net floor area may be increased by 15 percent for single floor facilities and 22.5 percent for multiple-story facilities for interfunctional circulation space such as corridors, staircases, entrances and lobby as required for a well planned functional layout.

**D. Walls and Partitions:** The total floor area, which includes all functional space allowances and interfunctional circulation, may be increased by 10 percent to provide for interior and exterior walls and partitions.

### E. Flexibility.

1. Space allowances for any authorized functional area may be increased or decreased by up to 15 percent, provided that the total allowable functional net area is not increased thereby in order to provide the necessary off-setting reduction for these space increases for any functional area.

2. The total allowable functional net area may be decreased by no greater than 10 percent.

3. Any increase or decrease of an allowable functional area greater than 15 percent of a functional area shall be considered an Exception to Criteria. See Paragraph 1-4J(6).

4. Removal of Functional Areas: The AOC General Manager of Facilities or the Project Development Board, with concurrence of the AOC General Manager of Facilities may remove functional areas from the proposed facility.

5. When functional areas are completely removed from a facility, however, the total allowable floor space must be reduced by a like amount.

### 7-2. General Construction of Building(s)

#### A. General:

1. The building(s) (primary facility) will be constructed of materials rated as non-combustible. The exterior walls shall be stone which is complementary the Capital of the Commonwealth of Kentucky with other suitable systems.

2. The roofing system shall be rated to last at least 50-years.

3. The floor normally will be concrete with a finished stone or other suitable surfaces in public areas, except for service areas with floor loads detailed in Court of Justice Rule of Administrative Procedure Part X., Section III, Court Facilities Design, for specific functional areas.

4. Air conditioning for programming purposes should be estimated by determining total floor area authorized for cooling divided by 300 SF per ton.

5. The general construction of building(s) shall be governed by guidance from the Administrative Office of the Courts General Manager of Facilities.

6. The authorization of final design must be granted by the Chief Justice of the Supreme Court as detailed in the Court of Justice Rule of Administrative Procedure Part X., Section III, Construction Program Development.

**B. Interior Fire Protection:** All new, renovated, adapted, and expanded Court of Justice facilities shall have installed a fire suppression sprinkler system with a centralized control and local and remote (at the local fire response agency) alarms.

**C. Seismic Survivability:** The building shall be designed and constructed for the seismic zone as required by the current edition of the Kentucky Building Code, and applicable local, state and federal codes.

**D. General Security Provisions:** The AOC General Manager of Facilities, or his or her designee, shall determine the level of security provisions to be installed or provided for Court of Justice used facilities. Courts facilities shall have incorporated security measures, which includes, but are not limited to; an internal and external area access limitation systems, internal communication systems, intrusion alert systems and closed circuit video monitoring/recording systems. Other provisions may include perimeter intrusion detection system, area isolation systems, ballistic resistant windows, and Judicial Benches.

**E. Counter Terrorism Considerations:** The AOC General Manager of Facilities, or his or her designee, shall determine the level of counter terrorism provisions to be installed or provided for Court of Justice used facilities. However, as a minimum and to the greatest reasonable extent, buildings shall be designed and constructed so as to minimize potential damage due to explosive devices, non-official vehicles shall be kept a safe distance from the building, entrances shall not allow vehicular access, approaches shall not be of sufficient length for vehicles to achieve barrier breaching speeds. No public or non-security screened staff parking is allowed under primary facility areas. Other counter terrorism provisions may be determined

necessary by the AOC Facilities General Manager and therefore incorporated in or near the facility.

**F. Power Failure Survivability:** The facility shall have an auxiliary power supply and exterior provisions for an external (trailered or skid mounted) electric generator/power plant at a point away from the building. State support for generators and power plants is authorized. As a minimum the provisions for a skid or trailer mounted power plant shall include, within a secure or securable area, a concrete pad, sized to accept a generator/power plant with above ground fuel tank of sufficient size, and a securable external hookup to the facility's electrical system.

### 7-3. Supporting Items

Authorized exterior items (supporting facilities) for projects include but are not limited to:

**A. Site Preparation:** This work includes the clearing and grubbing, stripping and stockpiling topsoil, excavation, embankment, and rough grading operations that are required to develop the project site to sub grade levels and elevations for proper siting and drainage of facilitates (including culverts, head walls, retaining walls, etc.).

**B. Rock Excavation for Building Foundations:** Consideration of this type excavation is required if rock conditions are prevalent within a five (5) mile radius of the proposed construction site(s) as determined if the required geotechnical survey. Unit costs for additional or unanticipated mass and trench rock excavation shall be included as part of all construction bid and contract documents.

**C. Fine Grading and Seeding:** The area within the limits of construction (established by the minimum amount of excavation and embankment work required at the site), for which the existing surface cover has been destroyed or covered, may be fine graded and seeded to provide proper site drainage and control of erosion.

**D. Planting and Sodding.** Planting and Sodding shall be included as an integral part of the planning of the project. For programming purposes, Court of Justice participation for

planting trees, shrubs, and vines at facilities (exclusive of grading and seeding or sprigging and sodding for erosion control) will not exceed two percent (2%) of the AOC share of the basic building cost. The minimum following areas shall be sodded:

- (1) All lawn areas in front of buildings.
2. Adjacent to structures, minimum of six feet (6'-0").
3. Adjacent to paved areas (including sidewalks), minimum of six feet (6'-0").
4. All slopes with grades greater than 3:1.
5. All areas with the potential for severe erosion.

#### **E. Secure Officials' and Official Vehicle Parking Area.**

1. Secure parking, which is ADA compliant, is authorized for 100 percent of all vehicles, equipment, etc.
2. The parking area(s) shall be securely positioned so as to afford the greatest practical convenience to facility staff entrance(s).
3. This parking area may be combined with staff parking area(s), but shall remain a secure area with controlled access.
4. Vehicles within this parking area shall not be observable from the street level.
5. Off street parking area pavement will be designed and constructed based on the best engineering standards. For programming purposes, rigid pavement will be a minimum of six inches (6") of reinforced concrete and flexible pavement shall be two inches (2") of base layer and two inches (2") of finish layer. Both rigid and flexible pavements shall be installed over at least six inches of compacted crushed stone. Geotechnical fabrics are authorized. Adequate drainage for paved area is required.
6. The parking area shall have 24' isles and 18' x 9' parking spaces.

7. Rigid concrete or stone curbs shall be installed around parking pavement edges.

#### **F. Staff Parking Areas.**

1. General: Staff Parking shall be configured so as to allow segregation from Public Parking Areas.
2. It is assumed that public transportation is not available for "working" visitors or litigants visiting the facility(ies), therefore the parking area size shall provide parking for 100% of authorized staff as determined by the AOC General Manager of Facilities.
3. This facility can expect a constant flow of visits from the Commonwealth's children. Parking for a minimum of 30 large and ten (10) small school busses shall be provided.
4. The parking areas shall be positioned so as to afford the greatest practical convenience to respective (public or staff) facility entrances.
5. Off street parking area pavement will be designed and constructed based on the best engineering standards. For programming purposes, rigid pavement will be a minimum of six inches (6") of reinforced concrete installed over at least six inches (6") of compacted dense grade crushed stone over six inches (6") of compacted course grade crushed stone. Geotechnical fabrics are authorized. Adequate drainage for paved area is required.
6. The parking areas for automobiles shall have 24' isles and 18' x 9' parking spaces.
7. Rigid concrete or stone curbs may be installed around parking pavement edges.

#### **G. Public and Visitor Parking Areas.**

1. General: Public and Visitor Parking shall be configured so as to allow segregation from Official or Staff Parking Areas.
2. It is assumed that public transportation is not available for "working" visitors or litigants visiting the facility(ies), therefore the parking area size shall provide parking for 100% of authorized staff as determined by the AOC General Manager of Facilities.

3. This facility can expect a constant flow of visits from the Commonwealth's children. Parking for a minimum of 30 large and ten (10) small school busses shall be provided.

4. The parking areas shall be positioned so as to afford the greatest practical convenience to respective (public or staff) facility entrances.

5. Off street parking area pavement will be designed and constructed based on the best engineering standards. For programming purposes, rigid pavement will be a minimum of six inches (6") of reinforced concrete installed over at least six inches (6") of compacted dense grade crushed stone over six inches (6") of compacted course grade crushed stone. Geotechnical fabrics are authorized. Adequate drainage for paved area is required.

6. The parking areas for automobiles shall have 24' isles and 18' x 9' parking spaces.

7. Rigid concrete or stone curbs may be installed around parking pavement edges.

#### **H. Service and Access Aprons.**

1. Paved aprons shall be provided adjacent to loading docks and dumpsters.

2. For programming purposes, a minimum of 60 lineal feet per foot of width of the loading docks and 30 lineal feet for dumpsters.

3. For programming purposes, rigid pavement will be a minimum of eight inches (8") of reinforced concrete. Rigid pavements shall have be installed over at least six inches (6") of compacted dense grade crushed stone over six inches (6") of compacted course grade crushed stone. Geotechnical fabrics are authorized. Adequate drainage for paved area is required.

**I. Security Fencing/Barrier.** A security-type fence constructed with materials consistent with the design and appearance of the building may be included in the project. This fence should be no less than 8-FT in height, should act as a visual barrier and have anti-climber provisions for Official and Staff Vehicle Parking Areas.

Generally, the fence should be tied to the building(s) in order to provide the most economical enclosure of the protected area. The fencing shall be located at least five feet (5'-0") from the edge of the parking pavement.

#### **J. Utilities.**

1. All building utility service connections shall be underground.

2. The length of service for each utility is limited to the distance of the shortest run or most appropriate approach from the building to the property line adjacent to the public right-of-way.

3. Cable for telephone and electric service connections shall be installed in underground conduits conduit.

**K. Exterior Fire Protection:** Consideration will be given to the size of the structure, the type of construction, and the exposure to fire hazard that it creates for or receives from nearby buildings. Except in cases of conflict with State requirements, exterior fire protection should be excavated. Where the facility is to be built in a community served by municipal or private water systems and fire fighting forces, fire hydrants and a water main may be provided to ensure that two fire hydrants (including existing) are within 100-FT of the building. Extension of water mains for fire protection is limited to the shortest length from the existing main required to locate the hydrants within 100-FT, but not less than 50-FT of the building with no more than 100-FT of pipe located outside the project property.

**L. Access Road(s)/Entrance Throats:** The exact amount and type of pavement will be determined at the preliminary design review by AOC General Manager of Facilities based on an economical and practical site facility layout. For programming purposes the following criteria shall be used:

1. The primary entrance/access road is authorized a width of no less than 28-FT.

2. Other access roads (for official and staff parking areas) should not exceed 28-FT in width.

3. Access roads and entrance throats shall be eight inches (8") of reinforced concrete installed over at least six (6") of compacted dense grade crushed stone over six inches (6") of compacted course grade crushed stone. Geotechnical fabrics are authorized. Adequate drainage for paved area is required.

4. Rigid concrete curbs may be installed on pavement edges.

**M. Walks:** A system of walks, for programming purposes, is generally limited to paved walkways by site layout. The exact amount of pavement will be determined at the preliminary design review by AOC based on an economical and practical site facility layout, site compliance with A.D.A. requirements

**N. Flagpole.** Three (3) ground-set aluminum flagpoles with a maximum height of 30-FT shall be provided.

**O. Lawn/Garden Sprinkler System** An efficient lawn/garden sprinkler system is authorized for court facilities grounds and gardens, if authorized by the AOC General Manager of Facilities.

**Table 7.1 Administrative Office of the Court  
Facility Allowances**

<u>Functional Area</u>	<u>Allowance</u>	<u>Functional Area</u>	<u>Allowance</u>
<b>1. Personnel Areas</b>			
(1) Director, Admin. Office of the Courts	400 SF	Women's Restrooms – Basic	150 SF
Director's Private Restroom	64 SF	Add for Each Attendee	3 SF
(2) Committee Executive Director	350 SF	Food Service, Preparation, and Storage	600 SF
(2) Assistant Director	350 SF	Table and Chair Storage	400 SF
(2) General Manager	350 SF	Video Studio	600 SF
(2) Executive and Legislative Liaison	350 SF	Video Studio Control Room	300 SF
(3) Manager	300 SF	Publication and Media Storage	400 SF
(3) Executive and Department Assistants	300 SF	Conference/Education Area Break Area	600 SF
(4) Public Relations Officer	200 SF		
(4) Assistant Manager	200 SF	<b>Court Facilities</b>	
(4) Executive Assistant	200 SF	Architectural Design Studio	600 SF
(4) Policy Advisors	200 SF	Plotter Area	150 SF
(4) Attorneys	200 SF	Drawing Storage	400 SF
(4) Design Professionals	200 SF	Architectural/Engineering Library	300 SF
(5) Section Supervisor	175 SF	Equipment Storage	150 SF
(5) Project Supervisor	175 SF	Warehouse Loading Dock	400 SF
(6) Administrative Assistant	150 SF	Central Shipping/Receiving Area	600 SF
(6) Legal Assistant	150 SF	Warehouse, Controlled Environment	5,000 SF
(6) Auditors	150 SF	Warehouse, Un-controlled Environment	15,000 SF
(6) Analysis	150 SF	Records Destruction	600 SF
(6) Field Representatives	150 SF	Archives Storage	2,500 SF
(6) Field Coordinators	150 SF	Telecommunications Repair Shop	600 SF
(7) Exec. & Judicial Secretary/Receptionist	120 SF	Telecommunications Shop Stock Storage	400 SF
(8) Program Technicians	100 SF	Audio/Visual Repair Shop	600 SF
(8) Judicial Secretary	100 SF	Media Storage	300 SF
(8) Support Technicians	100 SF	Audio/Visual Shop Stock Storage	400 SF
(8) Programmers	100 SF	Security Systems Repair/Preparation	400 SF
(8) Computer Operators	100 SF	Security Systems Shop Stock Storage	400 SF
(8) Secretary	100 SF	Facilities Files Area	250 SF
(8) Clerks	100 SF		
(9) Non-Clerical Workers	50 SF		
<b>2. Administrative Office of the Courts Agency Areas</b>		<b>Information Systems</b>	
Pubic Waiting Area	120 SF	Mainframe Computer/Server/Router Areas	1,200 SF
Conference/Work Room	120 SF	Media Storage Vault	400 SF
Add per Staff Member/Employee	10 SF	Reference and Software Library and Storage	400 SF
Add for AOC Director's Conf./Work Room	100 SF	IS Training Areas	1,000 SF
Copy/FAX/Mail Area	40 SF	IS Equipment Repair Shop	600 SF
Add per Staff Member/Employee	3 SF	IS Equipment Storage	600 SF
Office Storage Area	20 SF	IS Supply Storage	600 SF
Add per Staff Member/Employee	3 SF	IS Equipment Preparation Shop	600 SF
Files Area	20 SF	IS Network Preparation Shop	600 SF
Add per Staff Member/Employee	5 SF		
Drink/Snack Counter	60 SF	<b>Research and Statistics</b>	
		Research and Statistics Files Area	300 SF
<b>3. Special Use Areas</b>			
<b>Administrative Services &amp; Operations</b>		<b>Pretrial Services</b>	
Purchasing and Contract Files	500 SF	Drive-Through Window	150 SF
Print Plant	1,200 SF	Public Queuing and Waiting	300 SF
Loading Dock	250 SF	Permanent Counter Workstations	300 SF
Shipping/Receiving/Environmental Lock	300 SF	Vestibule/Security Check	150 SF
Graphics Studio	300 SF	Files Area	600 SF
Print Stock Storage	1,000 SF	Mail Request Processing	600 SF
Digital Plate Maker Area	400 SF		
Lab	200 SF	<b>Office of the General Counsel</b>	
Hazardous Materials Storage	150 SF	Law Library	600 SF
Forms Storage and Distribution	600 SF		
<b>Education</b>		<b>Personnel</b>	
Auditorium/Assembly	8,000 SF	Active Personnel Records Storage	600 SF
Educational Auditorium/Courtroom/Teleconf.	3,500 SF	Inactive Personnel Records Storage	300 SF
Conference/Education Storage Area	400 SF	Archived Personnel Records Storage	300 SF
Audio/Visual Equipment Area	400 SF	Personnel Records Review Area	150 SF
Conference/Education Areas	1,200 SF		
Add for each Staff Agency	100 SF	<b>Judicial Retirement</b>	
Teleconference Center	600 SF	Files Area	300 SF
Teleconference Center Control Room	300 SF		
Conference Registration and Waiting Area	1,200 SF	<b>Facility Support</b>	
Training Materials Preparation and Staging Area	500 SF	Central Mail Room	600 SF
Video and Teleconference Areas Storage	300 SF	Allied Trades Areas per Trade	300 SF
Men's Restrooms – Basic	150 SF	Technical Publications & Drawings Library	100 SF
Add for Each Attendee	2 SF	Facility Technician Break Area	200 SF
		Fac. Tech. Male Restroom/Shower	250 SF
		Fac. Tech Female Restroom/Shower	150 SF
		Facility Loading Dock	200 SF



Table 7.1 - Continued

<b>Functional Area</b>	<b>Allowance</b>
Facility. & Allied Trades Storage Area	200 SF
Ground Support Equip. Maint. & Storage	600 SF
Unheated Grounds Support Equip. Storage	1,200 SF
Hazardous Material Storage Area - Basic	100 SF
Flammable Materials Storage Area - Basic	80 SF
Controlled Waste Handling Area	80 SF
<b>4. Security Areas</b>	
Facility Entrance Guard Shack	1,200 SF
Security Supervisor	200 SF
Security Personnel Area	100 SF
Add for Each Security Officer	10 SF
Central Security Control Room	300 SF
Security Control Room Restroom	64 SF
Security Storage	40 SF
Security & Enforcement Restroom/Shower	60 SF
Add for Each Security Officer	10 SF
Security Break Area	300 SF
<b>5. Common Use Areas</b>	
Building Entrances/Security Checks	300 SF
Add for each Staff Member & Employee	3 SF
Men's Restrooms – Basic	500 SF
Add for each Staff Member & Employee	4 SF
Women's Restrooms – Basic	550 SF
Add for each Staff Member & Employee	5 SF
Vending/Break Areas – Basic	300 SF
Add for each Staff Member & Employee	4 SF
Public Telephone Areas	100 SF
First Aid Room – Basic	150 SF
<b>7. Factored Areas (Net Functional times %)</b>	
Mechanical/Electrical/ADP/Telecom	6.0 %
Circulation - Single Floor Building	15.0 %
Circulation - Multiple Floor Building	22.5 %
Walls and Partitions	10.0 %
Facilities Maintenance & Storage	2.0 %

This page intentionally left blank.

## Chapter 8. Furnishings and Equipment

### 8-1. General.

This chapter establishes cabinetry, furnishings and equipment allowances for Administrative Office of the Court (AOC) and AOC-supported facilities and functions. Items listed in this

chapter may or may not be provided in new or existing facilities or included in construction costs as determined by the AOC General Manager of Facilities.

**Table 8-1 Cabinetry, Furnishings and Equipment**

Functional Area	Quant	U/M
<b>1 Jury Trial Courtrooms 1/</b>		
<b>Cabinetry</b>		
Courtroom Litigation Areas		
Judge's Bench	1 ea	
Clerks' Station	1 ea	
Reporter's Station	1 ea	
Witness Box	1 ea	
Jury Box	1 ea	
Bailiff Station	1 ea	
Add for Large Courtroom		
Increase Judge's Bench	1 Add	
Add for Multi-Defendant Courtroom		
Increase Judge's Bench	1 Add	
Courtroom Spectator Areas		
Spectator Pew Seating (minimum)	80 pers	
Add for Large Courtroom		
Spectator Pew Seating (minimum)	30 pers	
Add for Multi-Defendant Courtroom		
Spectator Pew Seating (minimum)	70 pers	
Public Waiting Areas		
Waiting Area Pew Seating (minimum)	40 pers	
Coat Rack, Wall Mounted	2 pers	
Add for Large Courtroom		
Waiting Area Pew Seating (minimum)	20 pers	
Add for Multi-Defendant Courtroom		
Waiting Area Pew Seating (minimum)	40 pers	
Jury Deliberation Areas		
Dry-Erase Board	1 ea	
Jury Lounge Areas		
Service Counter	1 ea	
Witness/Victim Areas		
Dry-Erase Board	1 ea	
Attorney/Client Areas		
Dry-Erase Board	1 ea	
Prosecutor's Areas		
Dry-Erase Board	1 ea	
Law Enforcement Waiting Areas		
Dry-Erase Board	1 ea	
Press Room		
Add for Large Courtroom		
Dry-Erase Board	1 ea	
Attorney Workroom/Lounge		
Add for Large Courtroom		
Dry-Erase Board	1 ea	
<b>Furnishings</b>		
Courtroom Litigation Areas		
Judge's Chair	1 ea	
Clerk Chairs	2 ea	
Reporter's Chair	1 ea	
Witness Chair	1 ea	
Jury Chairs	14 ea	
Bailiff Chair	1 ea	
Defense Table	1 ea	
Defense Chairs	6 ea	
Prosecution Table	1 ea	
Prosecution Chairs	6 ea	
Lectern	1 ea	
Court Emblem	1 ea	
Flag Set	1 set	
Waste Containers	3 ea	

Functional Area	Quant	U/M
Courtroom Spectator Areas		
Waste Containers	2 ea	
Add for Large Courtroom		
Judges' Chairs	2 ea	
Add for Multi-Defendant Courtroom		
Defense Tables	4 ea	
Defense Chairs	24 ea	
Prosecution Tables	4 ea	
Prosecution Chairs	24 ea	
Vestibule/Security Check		
Security Station Chair	2 ea	
Add for Large Courtroom		
Security Station Chair	1 ea	
Add for Multi-Defendant Courtroom		
Security Station Chair	1 ea	
Jury Deliberation Areas		
Conference Table	1 ea	
Chairs	14 ea	
Waste Containers	1 ea	
Jury Lounge Areas		
Dinette Table	2 ea	
Chairs	8 ea	
Waste Containers	1 ea	
Jury Restrooms		
Waste Containers	1 ea	
Witness/Victim Areas - Basic		
Conference Table	1 ea	
Chairs	6 ea	
Waste Containers	1 ea	
Add for Large Courtroom		
Conference Table	1 ea	
Chairs	2 ea	
Add for Multi-Defendant Courtroom		
Conference Table	1 Add	
Chairs	4 ea	
Attorney/Client Areas - Basic		
Conference Table	1 ea	
Chairs	6 ea	
Waste Containers	1 ea	
Add for Multi-Defendant Courtroom		
Conference Table	1 Add	
Chairs	4 ea	
Prosecutor's Areas - Basic		
Conference Table	1 ea	
Chairs	4 ea	
Waste Containers	1 ea	
Add for Multi-Defendant Courtroom		
Conference Table	1 Add	
Chairs	4 ea	
Law Enforcement Waiting Areas		
Conference Table	1 ea	
Chairs	8 ea	
Waste Containers	1 ea	
Prisoner Holding Area - Basic Shared Area		
Chairs	4 ea	
Add for Large Courtroom		
Chairs	4 ea	
Add for Multi-Defendant Courtroom		
Chairs	8 ea	

Table 8-1 Continued

Functional Area	Quant	U/M
Trial Storage Area - Basic		
Storage Shelving	1	set
Add for Large Courtroom		
Storage Shelving	1	Add
Add for Multi-Defendant Courtroom		
Storage Shelving	1	Add
Press Room - Basic		
Add for Large Courtroom		
Work Table	4	ea
Chairs	6	ea
Waste Containers	1	ea
Add for Multi-Defendant Courtroom		
Conference Table	1	Add
Chairs	2	ea
Attorney Workroom/Lounge - Basic		
Add for Large Courtroom		
Work Table	2	ea
ADP Station	1	ea
End Tables	1	ea
Chairs	6	ea
Waste Containers	1	ea
Add for Multi-Defendant Courtroom		
Work Table	1	Add
Chairs	4	ea
<b>Equipment</b>		
Courtroom Litigation Areas		
Clock	1	ea
Court Reporter System	1	sys
Audio/Video Recording System	1	sys
Public Address System	1	sys
Rear screen Courtroom Video Monitor	1	sys
Add for Large Courtroom		
Public Address System	1	ea
Rear screen Courtroom Video Monitor	1	ea
Add for Multi-Defendant Courtroom		
Public Address System		
Rear screen Courtroom Video Monitor		
Vestibule/Security Check		
Metal Detector (AOC Determination)		
X-Ray (AOC Determination)		
Jury Deliberation Areas		
Clock	1	ea
Audio/Video Playback System	1	ea
Jury Lounge Areas		
Microwave Oven	1	ea
Refrigerator	1	ea
Coffee Maker	1	ea
Audio/Visual Equipment Area - Basic		
Rack/Shelving	1	set
Add for Large Courtroom		
Rack/Shelving	1	Add
Add for Multi-Defendant Courtroom		
Rack/Shelving	1	Add
<b>2 Non-Jury Trial Courtrooms/Formal Hearing Rooms</b>		
<b>Cabinetry</b>		
Courtroom Litigation Areas		
Judge's Bench	1	ea
Clerks' Station	1	ea
Reporter's Station	1	ea
Witness Box	1	ea
Bailiff Station	1	ea
Courtroom Spectator Areas		
Spectator Pew Seating (minimum)	20	pers
Coat Rack, Wall Mounted	1	ea
Public Waiting Areas		
Waiting Area Pew Seating (minimum)	40	pers
Child Waiting Room		
Dry-Erase Board	1	ea
Child Waiting Area Observation Room		
Work Counter	1	ea
Juvenile Waiting Room		
Dry-Erase Board	1	ea

Functional Area	Quant	U/M
Juvenile Waiting Area Observation Room		
Work Counter	1	ea
Interview Room		
Dry-Erase Board	1	ea
Attorney/Client Areas		
Dry-Erase Board	1	ea
Prosecutor's Areas		
Dry-Erase Board	1	ea
Law Enforcement Waiting Areas		
Dry-Erase Board	1	ea
<b>Furnishings</b>		
Courtroom Litigation Areas		
Judge's Chair	1	ea
Clerk Chair	1	ea
Reporter's Chair	1	ea
Witness Chair	1	ea
Bailiff Chair	1	ea
Defense Table	1	ea
Defense Chairs	6	ea
Prosecution Table	1	ea
Prosecution Chairs	6	ea
Lectern	1	ea
Court Emblem	1	ea
Flag Set	1	set
Waste Containers	3	ea
Public Waiting Areas		
Waste Containers	1	ea
Vestibule/Security Check		
Security Station Chair	2	ea
Child Waiting Room		
Work Table	1	ea
Chairs	2	ea
Rest/Play Mats	2	
Child Waiting Area Restroom		
Waste Containers	1	ea
Child Waiting Area Observation Room		
Chairs	2	ea
Juvenile Waiting Room		
Work Table	1	ea
Chairs	6	ea
Waste Containers	1	ea
Juvenile Waiting Area Restroom		
Waste Containers	1	ea
Juvenile Waiting Area Observation Room		
Chairs	2	ea
Interview Room		
Conference Table	1	ea
Chairs	4	ea
Waste Containers	1	ea
Attorney/Client Areas		
Conference Table	1	ea
Chairs	4	ea
Waste Containers	1	ea
Prosecutor's Areas		
Conference Table	1	ea
Chairs	4	ea
Waste Containers	1	ea
Law Enforcement Waiting Areas		
Conference Table	1	ea
Chairs	4	ea
Waste Containers	1	ea
Secure Holding Area		
Trial Storage Area		
Shelving	1	sys
<b>Equipment</b>		
Courtroom Litigation Areas		
Clock	1	ea
Court Reporter System	1	sys
Audio/Video Recording System	1	sys
Public Address System	1	sys
Rear screen Courtroom Video Monitor	1	sys
Child Waiting Area Observation Room		
Audio/Video Recording System	1	sys

Table 8-1 Continued

Functional Area	Quant	U/M
Juvenile Waiting Area Observation Room		
Audio/Video Recording System	1	sys
Audio/Visual Equipment Area - Basic Rack/Shelving	1	sys
<b>3 Non Jury Courtrooms</b>		
<u>Supreme Courtroom – incomplete section</u>		
<u>Appellate Courtroom</u>		
<b>Cabinetry</b>		
Appellate Courtroom		
Judge's Bench	1	ea
Clerks' Station	1	ea
Reporter's Station	1	ea
Bailiff Station	1	ea
Spectator Pew Seating (minimum)	40	pers
Interview Room		
Dry-Erase Board	1	ea
Attorney/Client (Plaintiff) Area		
Dry-Erase Board	1	ea
Attorney/Client (Defendant) Area		
Dry-Erase Board	1	ea
<b>Furnishings</b>		
Appellate Courtroom		
Judge's Chair	3	ea
Clerk Chair	1	ea
Reporter's Chair	1	ea
Bailiff Chair	1	ea
Defense Table	1	ea
Defense Chairs	6	ea
Prosecution Table	1	ea
Prosecution Chairs	6	ea
Lectern	1	ea
Court Emblem	1	ea
Flag Set	1	set
Clock	1	ea
Waste Containers	3	ea
Vestibule/Security Check		
Security Station Chair	2	ea
Public Waiting Areas		
Sofa	2	ea
Side Chairs	4	ea
Coffee Table	2	ea
End Tables	6	ea
Lamps	6	ea
Wall Hangings	4	ea
Coat Rack	1	ea
Interview Room		
Conference Table	1	ea
Chairs	10	ea
Wall Hangings	4	ea
Coat Rack	1	ea
Waste Containers	1	ea
Attorney/Client (Plaintiff) Area		
Conference Table	1	ea
Chairs	20	ea
Dry-Erase Board	1	ea
Wall Hangings	4	ea
Coat Rack	1	ea
Waste Containers	1	ea
Attorney/Client (Defendant) Area		
Conference Table	1	ea
Chairs	20	ea
Dry-Erase Board	1	ea
Wall Hangings	4	ea
Coat Rack	1	ea
Waste Containers	1	ea
Trial Storage Area		
Shelving	1	sys
<b>Equipment</b>		

Functional Area	Quant	U/M
Appellate Courtroom		
Court Reporter System	1	sys
Audio/Video Recording System	1	sys
Public Address System	1	sys
Rear screen Courtroom Video Monitor	1	sys
Clock	1	ea
Public Waiting Areas		
Clock	1	ea
Interview Room		
Clock	1	ea
Attorney/Client (Plaintiff) Area		
Clock	1	ea
Attorney/Client (Defendant) Area		
Clock	1	ea
Audio/Visual Equipment Area - Basic Rack/Shelving	1	sys
<u>Non-Jury/Traffic/Arraignment Courtroom</u>		
<b>Cabinetry</b>		
Non-Jury/Traffic/Arraignment Courtroom		
Judge's Bench	1	ea
Reporter's Station	1	ea
Witness Box	1	ea
Bailiff Station	1	ea
Spectator Pew Seating (minimum)	80	pers
Public Waiting Areas		
Waiting Area Pew Seating	40	pers
Coat Rack, Wall Mounted	2	pers
Interview Room		
Dry-Erase Board	1	ea
Attorney/Client Areas		
Dry-Erase Board	1	ea
Prosecutor's Areas		
Dry-Erase Board	1	ea
Law Enforcement Waiting Areas		
Dry-Erase Board	1	ea
Trial Storage Area		
Shelving	1	sys
<b>Furnishings</b>		
Judge's Chair	1	ea
Clerks' Station	1	ea
Clerk Chair	1	ea
Reporter's Chair	1	ea
Witness Chair	1	ea
Bailiff Chair	1	ea
Defense Table	1	ea
Defense Chairs	6	ea
Prosecution Table	1	ea
Prosecution Chairs	6	ea
Lectern	1	ea
Court Emblem	1	ea
Flag Set	1	set
Clock	1	ea
Waste Containers	3	ea
Vestibule/Security Check		
Security Station Chair	2	ea
Public Waiting Areas		
Waste Containers	2	ea
Interview Room		
Conference Table	1	ea
Chairs	4	ea
Waste Containers	1	ea
Attorney/Client Areas		
Conference Table	1	ea
Chairs	4	ea
Waste Containers	1	ea
Prosecutor's Areas		
Conference Table	1	ea
Chairs	4	ea
Waste Containers	1	ea
Law Enforcement Waiting Areas		
Conference Table	1	ea
Chairs	4	ea
Waste Containers	1	ea

Table 8-1 Continued

Functional Area	Quant	U/M
<b>Equipment</b>		
Non-Jury/Traffic/Arraignment Courtroom		
Court Reporter System	1	sys
Audio/Video Recording System	1	sys
Public Address System	1	sys
Rearscreen Courtroom Video Monitor	1	sys
Clock	1	ea
Public Waiting Areas		
Clock	1	ea
Interview Room		
Clock	1	ea
Attorney/Client Areas		
Clock	1	ea
Audio/Visual Equipment Area - Basic Rack/Shelving	1	sys
<b>Formal Hearing Room</b>		
<b>Cabinetry</b>		
Formal Hearing/Commissioner's Room		
Judge's Bench	1	ea
Clerks' Station	1	ea
Reporter's Station	1	ea
Witness Box	1	ea
Bailiff Station	1	ea
Spectator Pew Seating (minimum)	20	pers
<b>Furnishings</b>		
Formal Hearing/Commissioner's Room		
Judge's Chair	1	ea
Clerk Chair	1	ea
Reporter's Chair	1	ea
Witness Chair	1	ea
Bailiff Chair	1	ea
Defense Table	1	ea
Defense Chairs	6	ea
Prosecution Table	1	ea
Prosecution Chairs	6	ea
Lectern	1	ea
Court Emblem	1	ea
Flag Set	1	set
Clock	1	ea
Waste Containers	3	ea
<b>Equipment</b>		
Audio/Video Recording System	1	sys
Public Address System	1	sys
Rear screen Courtroom Video Monitor	1	sys
<b>4 Grand Jury Areas</b>		
<b>Cabinetry</b>		
Grand Jury Room		
Clerks' Station	1	ea
Witness Box	1	ea
Reporter's Station	1	ea
Jury Box	1	ea
Bailiff Station	1	ea
Jury Deliberation Area		
Dry-Erase Board	1	ea
Jury Lounge Areas		
Service Counter	1	ea
Witness Area		
Dry-Erase Board	1	ea
<b>Furnishings</b>		
Grand Jury Room		
Clerk Chairs (2ea)	1	ea
Reporter's Chair	1	ea
Witness Chair	1	ea
Jury Chairs	14	ea
Bailiff Chair	1	ea
Defense Table	1	ea
Defense Chairs	6	ea
Prosecution Table	1	ea
Prosecution Chairs	6	ea
Lectern	1	ea
Court Emblem	1	ea
Flag Set	1	set
Clock	1	ea
Waste Containers	3	ea

Functional Area	Quant	U/M
Jury Deliberation Area		
Conference Table	1	ea
Chairs	14	ea
Waste Containers	2	ea
Jury Lounge Areas		
Dinette Table	3	ea
Chairs	12	ea
Waste Containers	1	ea
Jury Restrooms		
Waste Containers	2	ea
Witness Waiting Area		
Conference Table	1	ea
Chairs	6	ea
Dry-Erase Board	1	ea
Waste Containers	1	ea
<b>Equipment</b>		
Grand Jury Room		
Audio/Video Recording System	1	sys
Public Address System	1	sys
Rear screen Courtroom Video Monitor	1	sys
Clock	1	ea
Jury Deliberation Area		
Clock	1	ea
Audio/Video Playback System	1	ea
Jury Lounge Areas		
Clock	1	ea
Witness Waiting Area		
Clock	1	ea
<b>5 Judge's &amp; Commissioner's Chambers</b>		
<b>Supreme Court Justice/Court of Appeals Judge</b>		
<b>Cabinetry</b>		
Office		
Book Shelves	1	set
Conference/Hearing Room		
Dry-Erase Board	1	ea
Break Area		
Service Counter	1	ea
<b>Furnishings</b>		
Office		
Executive Desk	1	ea
Credenza	1	ea
Computer Table	1	ea
Lateral File Cabinet	1	ea
Sofa	1	ea
Side Chairs	4	ea
Coffee Table	1	ea
End Tables	3	ea
Lamps	3	ea
Work Table	1	ea
Chairs	4	ea
Desk Set	1	ea
Wall Hangings	4	ea
Waste Containers	2	ea
Conference/Hearing Room		
Conference Table	1	ea
Chairs	8	ea
Wall Hangings	4	ea
Waste Containers	1	ea
Files Area		
Filing Cabinets	2	ea
Waiting Area		
Sofa	1	ea
Side Chairs	2	ea
Coffee Table	1	ea
End Tables	2	ea
Lamps	2	ea
Wall Hangings	2	ea
Coat Rack	1	ea
Staff Restroom		
Waste Containers	1	ea
Break Area		
Dinette Table	1	ea
Chairs	4	ea
Waste Containers	1	ea

Table 8-1 Continued

Functional Area	Quant	U/M
Court Storage		
Shelving	1 ea	
Copy/Mail/FAX Area		
Work Table	1 ea	
Storage Cabinet	1 ea	
Recycle Containers	1 set	
Waste Containers	1 ea	
<b>Equipment</b>		
Office		
Audio/Video Recording System	1 sys	
Clock	1 ea	
Conference/Hearing Room		
Audio/Video Recording System	1 sys	
Clock	1 ea	
Break Area		
Microwave Oven	1 ea	
Refrigerator	1 ea	
Coffee Maker	1 ea	
Clock	1 ea	
Staff Attorney		
<b>Cabinetry</b>		
Book Shelves	1 set	
<b>Furnishings</b>		
Executive Desk	1 ea	
Executive Chair	1 ea	
Credenza	1 ea	
Computer Table	1 ea	
Lateral File Cabinet	1 ea	
Side Chairs	2 ea	
End Tables	1 ea	
Lamps	1 ea	
Waste Containers	1 ea	
<b>Equipment</b>		
Clock	1 ea	
Court Administrator		
<b>Cabinetry</b>		
Book Shelves	1 set	
<b>Furnishings</b>		
Executive Desk	1 ea	
Credenza	1 ea	
Computer Table	1 ea	
Lateral File Cabinet	1 ea	
Sofa	1 ea	
Side Chairs	4 ea	
Coffee Table	1 ea	
End Tables	3 ea	
Lamps	3 ea	
Work Table	1 ea	
Chairs	4 ea	
Waste Containers	2 ea	
<b>Equipment</b>		
Clock	1 ea	
Court Secretary		
<b>Cabinetry</b>		
Shelving	1 set	
<b>Furnishings</b>		
Executive Desk	1 ea	
Executive Chair	1 ea	
Credenza	1 ea	
Computer Table	1 ea	
Lateral File Cabinet	1 ea	
Side Chairs	2 ea	
End Tables	1 ea	
Lamps	1 ea	
Waste Containers	1 ea	
<b>Equipment</b>		
Clock	1 ea	
<u>Appellate Court Suite</u>		
Resident Judge's Office		
<b>Cabinetry</b>		
Book Shelves	1 set	

Functional Area	Quant	U/M
<b>Furnishings</b>		
Executive Desk	1 ea	
Credenza	1 ea	
Computer Table	1 ea	
Lateral File Cabinet	1 ea	
Sofa	1 ea	
Side Chairs	4 ea	
Coffee Table	1 ea	
End Tables	3 ea	
Lamps	3 ea	
Work Table	1 ea	
Chairs	4 ea	
Waste Containers	2 ea	
<b>Equipment</b>		
Audio/Video Recording System	1 sys	
Clock	1 ea	
Visiting Appellate Court Judges		
<b>Cabinetry</b>		
Book Shelves	2 ea	
<b>Furnishings</b>		
Executive Desk	2 ea	
Executive Chair	2 ea	
Credenza	2 ea	
Computer Table	2 ea	
Lateral File Cabinet	2 ea	
Side Chairs	4 ea	
Coffee Table	2 ea	
End Tables	6 ea	
Lamps	6 ea	
Work Table	2 ea	
Chairs	4 ea	
Waste Containers	2 ea	
<b>Equipment</b>		
Audio/Video Recording System	2 sys	
Clock	2 ea	
Resident Staff Attorney		
<b>Cabinetry</b>		
Book Shelves	1 ea	
<b>Furnishings</b>		
Executive Desk	1 ea	
Executive Chair	1 ea	
Credenza	1 ea	
Computer Table	1 ea	
Lateral File Cabinet	1 ea	
Side Chairs	2 ea	
End Tables	1 ea	
Lamps	1 ea	
Waste Containers	1 ea	
<b>Equipment</b>		
Clock	1 ea	
Visiting Staff Attorneys		
<b>Cabinetry</b>		
<b>Furnishings</b>		
Modular Workstation	2 ea	
Task Chair	2 ea	
Side Chair	2 ea	
Waste Containers	2 ea	
<b>Equipment</b>		
Clock	1 ea	
Court Secretary		
<b>Cabinetry</b>		
<b>Furnishings</b>		
Executive Desk	1 ea	
Credenza	1 ea	
Computer Table	1 ea	
Lateral File Cabinet	1 ea	
Book Shelves	1 set	
Side Chairs	2 ea	
End Tables	1 ea	
Desk Set	1 ea	
Coat Rack	1 ea	
Waste Containers	1 ea	

Table 8-1 Continued

Functional Area	Quant	U/M	Functional Area	Quant	U/M
<b>Equipment</b>			Conference/Hearing Room		
Clock	1	ea	Conference Table	1	ea
<b>Common Areas</b>			Chairs	8	ea
<b>Cabinetry</b>			Waste Containers	1	ea
Conference/Hearing Room			Files Area		
Dry-Erase Board	1	ea	Filing Cabinets	2	ea
Library			Waiting Area		
Library Shelving	1	sys	Sofa	1	ea
Dry-Erase Board	1	ea	Side Chairs	2	ea
Staff Break Area			Coffee Table	1	ea
Service Counter	1	ea	End Tables	2	ea
<b>Furnishings</b>			Lamps	2	ea
Files Area			Coat Rack	1	ea
Filing Cabinets	2	ea	Staff Restroom		
Conference/Hearing Room			Waste Containers	1	ea
Conference Table	1	ea	Court Storage		
Chairs	8	ea	Shelving	1	ea
Waste Containers	1	ea	Copy/Mail/FAX Area		
Library			Work Table	1	ea
Work Table	1	ea	Storage Cabinet	1	ea
Chairs	5	ea	Recycle Containers	1	set
Computer Work Station	1	ea	Waste Containers	1	ea
Waste Containers	1	ea	<b>Equipment</b>		
Files Area			Judge's Office		
Filing Cabinets	2	ea	Audio/Video Recording System	1	sys
Waiting Area			Clock	1	ea
Sofa	1	ea	Conference/Hearing Room		
Side Chairs	2	ea	Audio/Video Recording System	1	sys
Coffee Table	1	ea	Clock	1	ea
End Tables	2	ea	Drink/Snack Area		
Lamps	2	ea	Microwave Oven	1	ea
Coat Rack	1	ea	Refrigerator	1	ea
Staff Restroom			Coffee Maker	1	ea
Waste Containers	1	ea	<b>Law Clerk</b>		
Court Storage			<b>Cabinetry</b>		
Shelving	1	ea	Book Shelves	1	set
Copy/Mail/FAX Area			<b>Furnishings</b>		
Work Table	1	ea	Executive Desk	1	ea
Storage Cabinet	1	ea	Executive Chair	1	ea
Recycle Containers	1	set	Credenza	1	ea
Waste Containers	1	ea	Computer Table	1	ea
<b>Equipment</b>			Lateral File Cabinet	1	ea
Conference/Hearing Room			Book Shelves	1	set
Audio/Video Recording System	1	ea	Side Chairs	2	ea
Clock	1	ea	End Tables	1	ea
Library			Lamps	1	ea
Clock	\$1	ea	Waste Containers	1	ea
Waiting Area			<b>Equipment</b>		
Clock	\$1	ea	Clock	1	ea
<b>Circuit Court, Family Court, District Court Judge &amp; Commissioner's Chambers</b>			<b>Court Recorder</b>		
<b>Cabinetry</b>			<b>Cabinetry</b>		
Judge's Office			<b>Furnishings</b>		
Book Shelves	1	set	Executive Desk	1	ea
Conference/Hearing Room			Executive Chair	1	ea
Dry-Erase Board	1	ea	Credenza	1	ea
Drink/Snack Area			Computer Table	1	ea
Service Counter	1	ea	Lateral File Cabinet	1	ea
<b>Furnishings</b>			Book Shelves	1	set
Judge's Office			Side Chairs	2	ea
Executive Desk	1	ea	End Tables	1	ea
Executive Chair	1	ea	Lamps	1	ea
Credenza	1	ea	Waste Containers	1	ea
Computer Table	1	ea	<b>Equipment</b>		
Lateral File Cabinet	1	ea	Clock	1	ea
Side Chairs	4	ea	<b>Court Secretary</b>		
End Tables	3	ea	<b>Cabinetry</b>		
Lamps	3	ea	<b>Furnishings</b>		
Work Table	1	ea	Executive Desk	1	ea
Chairs	4	ea	Executive Chair	1	ea
Waste Containers	2	ea	Credenza	1	ea
			Computer Table	1	ea



Table 8-1 Continued

Functional Area	Quant	U/M
Lateral File Cabinet	1	ea
Book Shelves	1	set
Side Chairs	2	ea
End Tables	1	ea
Lamps	1	ea
Coat Rack	1	ea
Waste Containers	1	ea
<b>Equipment</b>		
Clock	1	ea
Court Administrator		
<b>Cabinetry</b>		
<b>Furnishings</b>		
Executive Desk	1	ea
Executive Chair	1	ea
Credenza	1	ea
Computer Table	1	ea
Lateral File Cabinet	1	ea
Book Shelves	1	set
Side Chairs	2	ea
End Tables	1	ea
Lamps	1	ea
Waste Containers	1	ea
<b>Equipment</b>		
Clock	1	ea
Judicial Staff Break Area		
<b>Cabinetry</b>		
Service Counter	1	ea
<b>Furnishings</b>		
Dinette Table	2	ea
Chairs	8	ea
Waste Containers	1	ea
Add for each 10 employees		
Dinette Table Add	1	ea
Chairs Add	4	ea
<b>Equipment</b>		
Microwave Oven	1	ea
Refrigerator	1	ea
Ice Maker	1	ea
Coffee Maker	1	ea
Clock	1	ea
Judicial Staff Reception Waiting Area		
<b>Cabinetry</b>		
<b>Furnishings</b>		
Executive Desk	1	ea
Executive Chair	1	ea
Computer Table	1	ea
Lateral File Cabinet	1	ea
Sofa	1	ea
Side Chairs	2	ea
Coffee Table	1	ea
End Tables	2	ea
Lamps	2	ea
Coat Rack	1	ea
Add for each 4 Judge/Commissioners		
Sofa	1	ea
Side Chairs	1	ea
Coffee Table	1	ea
End Tables	2	ea
Lamps	1	ea
<b>Equipment</b>		
Clock	1	ea
<b>6 Law Library</b>		
<u>Rural Courthouse Library</u>		
<b>Cabinetry</b>		
Library Shelving	1	set
<b>Furnishings</b>		
Work Table	1	ea
Chairs	5	ea
Computer Work Station	1	ea
Waste Containers	1	ea

Functional Area	Quant	U/M
<b>Equipment</b>		
Clock	1	ea
<u>Urban/Metropolitan/Court of Appeals Library</u>		
<b>Cabinetry</b>		
Library		
Library Shelving	1	set
Add for six Courtroom & Hearing Rm.	1	set
<b>Furnishings</b>		
Library		
Index File	1	ea
Book Cart	1	ea
Clock	1	ea
Waste Containers	3	ea
Work Area		
Library Work Tables	1	ea
Add for six Courtroom & Hearing Rm.	1	ea
Work Table Chairs	4	ea
Add for six Courtroom & Hearing Rm.	4	ea
Side Chairs	2	ea
End Table	1	ea
Lamps	4	ea
Waste Containers		
Copy Area		
Work Table	1	ea
Waste Containers	1	ea
ADP Area		
Computer Table	2	ea
Add for six Courtroom & Hearing Rm.	1	ea
Chairs	2	ea
Add for six Courtroom & Hearing Rm.	1	ea
Storage Area Shelving	1	ea
Add for six Courtroom & Hearing Rm.	1	ea
<b>Equipment</b>		
Clock	2	ea
Librarian Area		
<b>Cabinetry</b>		
Librarian's Counter	1	ea
<b>Furnishings</b>		
Librarian's Desk	1	ea
Credenza	1	ea
Computer Table	1	ea
Lateral File Cabinet	1	ea
Book Shelves	1	set
Side Chairs	2	ea
End Tables	2	ea
Lamps	1	ea
Waste Containers	2	ea
<b>Equipment</b>		
Clock	1	ea
Attorney Workroom/Lounge		
<b>Cabinetry</b>		
Dry-Erase Board	1	ea
<b>Furnishings</b>		
Conference Table	1	ea
Chairs	4	ea
Side Chairs	2	ea
End Table	1	ea
Lamps	1	ea
Waste Containers	1	ea
Add for six Courtroom & Hearing Rm.		
Conference Table	1	ea
Chairs	4	ea
Side Chairs	1	ea
<b>Equipment</b>		
Clock	1	ea

Table 8-1 Continued

Functional Area	Quant	U/M
<b>7 Circuit Court Clerk Areas</b>		
Circuit Clerk's Office		
<b>Cabinetry</b>		
Book Shelves	1 set	
Dry-Erase Board	1 ea	
<b>Furnishings</b>		
Executive Desk	1 ea	
Executive Chair	1 ea	
Credenza	1 ea	
Computer Table	1 ea	
Lateral File Cabinet	1 ea	
Side Chairs	4 ea	
End Tables	3 ea	
Lamps	3 ea	
Work Table	1 ea	
Chairs	4 ea	
Desk Set	1 ea	
Coat Rack	1 ea	
Wall Hangings	4 ea	
Waste Containers	2 ea	
<b>Equipment</b>		
Video/Audio Recording System	1 ea	
Clock	1 ea	
District Clerk's Office		
<b>Cabinetry</b>		
Book Shelves	1 set	
Dry-Erase Board	1 ea	
<b>Furnishings</b>		
Executive Desk	1 ea	
Executive Chair	1 ea	
Credenza	1 ea	
Computer Table	1 ea	
Lateral File Cabinet	1 ea	
Side Chairs	4 ea	
Coffee Table	1 ea	
End Tables	3 ea	
Lamps	3 ea	
Work Table	1 ea	
Chairs	4 ea	
Waste Containers	2 ea	
<b>Equipment</b>		
Video/Audio Recording System	1 ea	
Clock	1 ea	
Supervisors		
<b>Cabinetry</b>		
<b>Furnishings</b>		
Executive Desk	1 ea	
Credenza	1 ea	
Computer Table	1 ea	
Lateral File Cabinet	1 ea	
Book Shelves	1 ea	
Side Chairs	2 ea	
End Tables	1 ea	
Lamps	1 ea	
Waste Containers	1 ea	
<b>Equipment</b>		
Clock	1 ea	
Clerk Staff Workstations		
<b>Cabinetry</b>		
<b>Furnishings</b>		
Modular Workstation	1 ea	
Pedestal Desk w/drawers		
Pedestal Credenza w/drawers		
Bridges		
Stack-on Credenza Doored Shelves		
Partitioning		
Mobile Pedestal		
Task Light		
Filing Cabinet	1 ea	
Task Chair	1 ea	
Side Chair	1 ea	
Desk Set	1 ea	
Waste Containers	1 ea	

Functional Area	Quant	U/M
<b>Equipment</b>		
Permanent Counter, Cashier & Drivers Lic. Workstations		
<b>Cabinetry</b>		
Permanent Counter Workstations	1 ea	
<b>Furnishings</b>		
Task Chair	1 ea	
Waste Container	1 ea	
<b>Equipment</b>		
Public Queuing and Waiting		
<b>Cabinetry</b>		
Work Counter	1 ea	
Bulletin Board	1 ea	
Dry-Erase Board	1 ea	
Add Pew Seating	1 ea	
<b>Furnishings</b>		
Waste Container	1 ea	
<b>Equipment</b>		
Clock	1 ea	
Drive Through Cashier Station		
<b>Cabinetry</b>		
<b>Furnishings</b>		
Task Chair	1 ea	
Waste Container	1 ea	
<b>Equipment</b>		
Records Review Area		
<b>Cabinetry</b>		
Secure Records Review Counter	1 ea	
<b>Furnishings</b>		
Conference Table	1 ea	
Chairs	4 ea	
Computer Table	1 ea	
Add for 8 Courtroom & Hearing Rm.		
Conference Table	1 ea	
Chairs	4 ea	
<b>Equipment</b>		
Clock	1 ea	
Records Storage System		
<b>Cabinetry</b>		
	1 sf	
Archived Records Storage		
<b>Cabinetry</b>		
	1 sf	
Evidence Storage		
<b>Cabinetry</b>		
	1 sf	
Copy/FAX/Mail		
<b>Cabinetry</b>		
<b>Furnishings</b>		
Work Table	1 ea	
Mail Cabinet	1 ea	
Add per Courtroom		
Mail Cabinet	1 ea	
<b>Equipment</b>		
Common Use Areas		
<b>Cabinetry</b>		
Conference/Training Room		
Dry-Erase Board	1 ea	
Staff Break Area		
Service Counter	1 ea	
<b>Furnishings</b>		
Conference/Training Room		
Conference Table	1 ea	
Chairs	12 ea	
Waste Containers	1 ea	
Add for each 10 employees		
Conference Table Add	1	
Chairs Add	4	
Staff Break Area		
Dinette Table	1 ea	
Chairs	4 ea	
Waste Containers	1 ea	

Table 8-1 Continued

Functional Area	Quant	U/M
Add for each 10 employees	1	
Dinette Table Add	4	
Chairs Add		
Male Staff Restroom		
Waste Containers	1 ea	
Female Staff Restroom		
Waste Containers	1 ea	
<b>Equipment</b>		
Conference/Training Room		
Video/Audio Recording System	1 ea	
Clock	1 ea	
Staff Break Area		
Microwave Oven	1 ea	
Refrigerator	1 ea	
Ice Maker	1 ea	
Coffee Maker	1 ea	
Clock	1 ea	
Office Storage Area		
<b>Cabinetry</b>	1 sf	
<b>8 Prisoner Handling Facilities</b>		
Vehicular Sallyport		
Group Holding Cells		
Add for each four (4) Courtrooms		
Individual Holding Cells		
Add for each four (4) Courtrooms		
Security Vestibule		
Interview Room		
<b>Cabinetry</b>		
Attorney/Prisoner Workstation	1 ea	
<b>Furnishings</b>		
Chairs	4 ea	
<b>Equipment</b>		
Enforcement Personnel Areas		
<b>Cabinetry</b>		
Personnel Workstations	3 ea	
Document Pass-Thru to Sallyport	1 ea	
<b>Furnishings</b>		
Storage Cabinet	1 ea	
Task Chairs	3 ea	
Lamp	1 ea	
Coat Rack	1 ea	
Lateral File Cabinet	1 ea	
Book Shelves	1 ea	
Waste Containers	3 ea	
Shelving	1 ea	
<b>Equipment</b>		
Microwave Oven	1 ea	
Refrigerator	1 ea	
Warmer	1 ea	
Ice Maker	1 ea	
Coffee Maker	1 ea	
Clock	1 ea	
Guard Restroom/Shower		
<b>Equipment</b>		
Lockers	1 ea	
<b>9 Court Security &amp; Law Enforcement Facilities</b>		
Bailiff Workroom		
<b>Cabinetry</b>		
<b>Furnishings</b>		
Storage Cabinet	1 ea	
Side Chairs	2 ea	
Coat Rack	1 ea	
Add for each 4 Bailiffs		
Modular Workstation	1 ea	
Pedestal Desk w/drawers		
Pedestal Credenza w/drawers		
Bridges		
Stack-on Credenza Doored Shelves		

Functional Area	Quant	U/M
Partitioning		
Mobile Pedestal		
Task Light		
Filing Cabinet	1 ea	
Task Chair	1 ea	
Side Chair	1 ea	
Waste Containers	1 ea	
<b>Equipment</b>		
Clock	1 ea	
Bailiff Storage		
<b>Cabinetry</b>	1 sf	
Security Supervisor		
<b>Cabinetry</b>		
<b>Furnishings</b>		
Executive Desk	1 ea	
Credenza	1 ea	
Computer Table	1 ea	
Lateral File Cabinet	1 ea	
Book Shelves	1 ea	
Side Chairs	2 ea	
Waste Containers	1 ea	
<b>Equipment</b>		
Clock	1 ea	
Security Personnel Area		
<b>Cabinetry</b>		
<b>Furnishings</b>		
Add for each 4 Security Personnel		
Modular Workstation	1 ea	
Pedestal Desk w/drawers		
Pedestal Credenza w/drawers		
Bridges		
Stack-on Credenza Doored Shelves		
Partitioning		
Mobile Pedestal		
Task Light		
Filing Cabinet	1 ea	
Task Chair	1 ea	
Side Chair	1 ea	
Waste Containers	1 ea	
<b>Equipment</b>		
Clock	1 ea	
Security Control Room		
<b>Cabinetry</b>		
Monitoring/Control Panel	1 ea	
<b>Furnishings</b>		
Lateral File Cabinet	1 ea	
Storage Cabinet	1 ea	
Task Chair	2 ea	
Side Chair	2 ea	
Waste Containers	1 ea	
<b>Equipment</b>		
Clock	1 ea	
Security Storage		
<b>Cabinetry</b>	1 sf	
Security & Enforcement Restroom/Shower		
<b>Cabinetry</b>		
Lockers	1 ea	
Security & Enforcement Workroom/Lounge		
<b>Cabinetry</b>		
Service Counter	1 ea	
<b>Furnishings</b>		
Conference Table	1 ea	
Chairs	4 ea	
Waste Containers	1 ea	
Add for each 6 Security Personnel		
Conference Table	1 ea	
Chairs	4 ea	

Table 8-1 Continued

Functional Area	Quant	U/M
<b>Equipment</b>		
Microwave Oven	1	ea
Refrigerator	1	ea
Coffee Maker	1	ea
Clock	1	ea
<b>10 Non-Court Affiliated Offices</b>	No Furnishing/Equip ment Support	
<b>Cabinetry</b>		
Permanent Counter Workstations	1	ea
Public Queuing and Waiting		
Work Counter	1	ea
Bulletin Board	1	ea
Dry-Erase Board	1	ea
Add Pew Seating	1	ea
Conference/Training Room		
Dry-Erase Board	1	ea
<b>11 Court Affiliated &amp; Support Offices</b>		
Staff Director		
<b>Cabinetry</b>		
Dry-Erase Board	1	ea
<b>Furnishings</b>		
Executive Desk	1	ea
Executive Chair	1	ea
Credenza	1	ea
Computer Table	1	ea
Lateral File Cabinet	1	ea
Side Chairs	4	ea
End Tables	3	ea
Lamps	3	ea
Work Table	1	ea
Chairs	4	ea
Waste Containers	2	ea
<b>Equipment</b>		
Video/Audio Recording System	1	ea
Clock	1	ea
Professional Staff/Supervisors		
<b>Cabinetry</b>		
<b>Furnishings</b>		
Executive Desk	1	ea
Credenza	1	ea
Computer Table	1	ea
Lateral File Cabinet	1	ea
Book Shelves	1	ea
Side Chairs	2	ea
End Tables	1	ea
Lamps	1	ea
Waste Containers	1	ea
<b>Equipment</b>		
Clock	1	ea
Support Staff		
<b>Cabinetry</b>		
<b>Furnishings</b>		
Modular Workstation	1	ea
Pedestal Desk w/drawers		
Pedestal Credenza w/drawers		
Bridges		
Stack-on Credenza Doored Shelves		
Partitioning		
Mobile Pedestal		
Task Light		
Filing Cabinet	1	ea
Task Chair	1	ea
Side Chair	1	ea
Waste Containers	1	ea
<b>Equipment</b>		

Functional Area	Quant	U/M
Secure Commo. & Info. Fac. (SCIF)		
<b>Cabinetry</b>		
<b>Furnishings</b>		
Modular Workstation	1	ea
Pedestal Desk w/drawers		
Pedestal Credenza w/drawers		
Bridges		
Stack-on Credenza Doored Shelves		
Partitioning		
Mobile Pedestal		
Task Light		
Filing Cabinet	1	ea
Task Chair	1	ea
Side Chair	1	ea
Waste Containers	1	ea
<b>Equipment</b>		
Clock	1	ea
Public Queuing and Waiting		
<b>Cabinetry</b>		
Work Counter	1	ea
Bulletin Board	1	ea
Dry-Erase Board	1	ea
Add Pew Seating	1	ea
<b>Furnishings</b>		
Waste Container	1	ea
<b>Equipment</b>		
Clock	1	ea
Common Use Areas		
<b>Cabinetry</b>		
Conference/Training/Work Rooms		
Dry-Erase Board	1	ea
<b>Furnishings</b>		
Conference Table	1	ea
Chairs	8	ea
Waste Containers	1	ea
Add for each 10 employees		
Conference Table Add	1	ea
Chairs Add	4	ea
<b>Equipment</b>		
Video/Audio Recording System	1	ea
Clock	1	ea
Restrooms		
<b>Furnishings</b>		
Waste Containers	1	ea
Office Storage Area		
<b>Cabinetry</b>	1	sf
<b>12 Facility Support Areas</b>		
Facility Superintendent/Manager		
<b>Cabinetry</b>		
Dry-Erase Board	1	ea
<b>Furnishings</b>		
Executive Desk	1	ea
Executive Chair	1	ea
Credenza	1	ea
Computer Table	1	ea
Lateral File Cabinet	1	ea
Side Chairs	4	ea
Coffee Table	1	ea
End Tables	3	ea
Lamps	3	ea
Work Table	1	ea
Chairs	4	ea
Waste Containers	2	ea
<b>Equipment</b>		
Clock	1	ea

Table 8-1 Continued

Functional Area	Quant	U/M
Facility Engineer		
<b>Cabinetry</b>		
<b>Furnishings</b>		
Executive Desk	1 ea	
Credenza	1 ea	
Computer Table	1 ea	
Lateral File Cabinet	1 ea	
Book Shelves	1 ea	
Side Chairs	2 ea	
End Tables	1 ea	
Lamps	1 ea	
Waste Containers	1 ea	
<b>Equipment</b>		
Clock	1 ea	
Administrative Support Staff		
<b>Cabinetry</b>		
<b>Furnishings</b>		
Modular Workstation	1 ea	
Pedestal Desk w/drawers		
Pedestal Credenza w/drawers		
Bridges		
Stack-on Credenza Doored Shelves		
Partitioning		
Mobile Pedestal		
Task Light		
Filing Cabinet	1 ea	
Task Chair	1 ea	
Side Chair	1 ea	
Desk Set	1 ea	
Waste Containers	1 ea	
<b>Equipment</b>		
Clock		
Central Mail Room		
<b>Cabinetry</b>		
Counter Window	1 ea	
Sorting Counter	1 ea	
Mail Box Cabinetry	1 ea	
Mail Collection Box	1 ea	
Add Mail Boxes	1 ea	
<b>Furnishings</b>		
Task Chair	1 ea	
Book Shelf	1 ea	
Storage Cabinet	1 ea	
<b>Equipment</b>		
Clock	1 ea	
Allied Trades Areas		
<b>Cabinetry</b>		
Work Bench	1 ea	
Storage Cabinets	1 ea	
<b>Furnishings</b>		
Book Shelf	1 ea	
File Cabinet	1 ea	
Work Stool	1 ea	
<b>Equipment</b>		
Clock	1 ea	
Technical Publications & Drawings Library/File Storage Area		
<b>Cabinetry</b>		
<b>Furnishings</b>		
Drawing Storage Cabinet	1 ea	
Book Shelves	2 ea	
Work Table	1 ea	
Chairs	2 ea	
File Storage Cabinets	4 ea	
Computer Table	1 ea	
Task Chair	1 ea	
Waste Container	1 ea	
<b>Equipment</b>		
Clock		
Office Storage Area		
<b>Cabinetry</b>	1 sf	

Functional Area	Quant	U/M
Copy/FAX/Mail		
<b>Cabinetry</b>		
<b>Furnishings</b>		
Work Table/Bins	1 ea	
<b>Equipment</b>		
Clock		
Common Use Areas		
<b>Cabinetry</b>		
Conference/Training Room		
Dry-Erase Board	1 ea	
Staff Break Area		
Service Counter	1 ea	
<b>Furnishings</b>		
Conference/Training Room		
Conference Table	1 ea	
Chairs	12 ea	
Wall Hangings	4 ea	
Waste Containers	1 ea	
Add for each 10 employees		
Conference Table Add	1 ea	
Chairs Add	4 ea	
Staff Break Area		
Dinette Table	1 ea	
Chairs	4 ea	
Waste Containers	1 ea	
Add for each 10 employees		
Dinette Table Add	1 ea	
Chairs Add	4 ea	
Male Staff Restroom		
Waste Containers	1 ea	
Female Staff Restroom		
Waste Containers	1 ea	
<b>Equipment</b>		
Conference/Training Room		
Video/Audio Recording System	1 ea	
Clock	1 ea	
Staff Break Area		
Microwave Oven	1 ea	
Refrigerator	1 ea	
Ice Maker	1 ea	
Coffee Maker	1 ea	
Clock	1 ea	
Waiting Area		
<b>Cabinetry</b>		
Add Pew Seating	1 ea	
<b>Furnishings</b>		
End Tables	1 ea	
Lamps	1 ea	
<b>Equipment</b>		
Clock	1 ea	
Restroom/Shower/Locker Rm		
<b>Cabinetry</b>		
Lockers	1 ea	
Loading Dock		
<b>Furnishings</b>		
Waste Container	1 ea	
<b>Equipment</b>		
Dock Leveler	1 ea	
Central Shipping/Receiving Area		
<b>Cabinetry</b>		
Work Bench	1 ea	
Storage Cabinets	1 ea	
<b>Furnishings</b>		
Waste Container	1 ea	
Facility & Allied Trades Storage Area		
<b>Cabinetry</b>		
Shelving	1 sf	

Table 8-1 Continued

Functional Area	Quant	U/M
Ground Support Equipment Storage		
<b>Cabinetry</b>		
Work Bench	1 ea	
Storage Cabinets	1 ea	
Hazardous/Flammable/Waste Areas		
<b>Cabinetry</b>	1 sf	
Facility Common Furnishings (for each 6 courtrooms)		
<b>Furnishings</b>		
Folding Tables	1 ea	
Folding Table Dollies	0.5 ea	
Stack Chairs	8 ea	
Stack Chair Dollies	1 ea	
Roping w/Stands	1 set	
Indoor Waste Containers	1 ea	
Outdoor Waste Containers	0.25 ea	
Custodial Equipment		
Floor Machines	1 ea	
Buffers	1 ea	
Wet Floor Signage	3 ea	
Mop Buckets w/Mops	3 ea	
Service Carts	3 ea	
Light Change Booms	3 ea	
Folding Ladders	3 ea	
Vacuum Cleaners	4 ea	
Grounds Support Equipment		
Push Lawn Mowers	1 ea	
Lawn Tractors	1 ea	
Trailer	1 ea	
Blade	1 ea	
Snow Blower	1 ea	
Cab	1 ea	
Spreader	1 ea	
Self-propelled Snow Blowers	1 ea	
String Trimmers	1 ea	
Hand Tools	1 set	
<b>13 Common Use Areas</b>		
<b>Cabinetry</b>		
Main Entrance Security Counter	1 ea	
Display Case	1 ea	
Public Vending/Lounge Area		
Service Counter	1 ea	
First Aid Room		
Service Counter	1 ea	
<b>Furnishings</b>		
Main Entrance Security Counter		
Task Chairs	2 ea	
First Aid Room		
Twin Bed	1 ea	
Task Desk	1 ea	
Task Chair	1 ea	
Service Cabinet	1 ea	
Side Chairs	2 ea	
End Table	1 ea	
Lamp	1 ea	
Coat Rack	1 ea	
Wheel Chair	1 ea	
Waste Containers	1 ea	
Public Vending/Lounge Area		
add for each 50 Public Attendance		
Tables	2 ea	
Chairs	8 ea	
General Facility		
<b>Equipment</b>		
Walk-thru Metal Detectors	2 ea	
X-Ray Machines	1 ea	
Add for each 6 Courtroom & Hearing Rm.		
Portable Walk-Thru Metal Detectors	1 ea	
X-Ray Machines	1 ea	

Functional Area	Quant	U/M
<b>14 Factored Areas</b>		
Facilities Maintenance & Storage		
<b>Cabinetry</b>		
Shelving	1 sf	
<b>15 General Administrative Space</b>		
<b>Director/Deputy Director's Areas</b>		
Executive Desk	1 ea	
Credenza	1 ea	
Computer Table	1 ea	
Lateral File Cabinet	1 ea	
Book Shelves	1 set	
Sofa	1 ea	
Side Chairs	4 ea	
Coffee Table	1 ea	
End Tables	3 ea	
Lamps	3 ea	
Work Table	1 ea	
Chairs	4 ea	
Clock	1 ea	
Waste Containers	2 ea	
<b>General Manager/Manager Areas</b>		
Executive Desk	1 ea	
Credenza	1 ea	
Computer Table	1 ea	
Lateral File Cabinet	1 ea	
Book Shelves	1 set	
Sofa	1 ea	
Side Chairs	4 ea	
Coffee Table	1 ea	
End Tables	3 ea	
Lamps	3 ea	
Work Table	1 ea	
Chairs	4 ea	
Clock	1 ea	
Waste Containers	2 ea	
<b>Supervisor/Professional Staff Areas</b>		
Executive Desk	1 ea	
Credenza	1 ea	
Computer Table	1 ea	
Lateral File Cabinet	1 ea	
Book Shelves	1 set	
Side Chairs	2 ea	
End Tables	1 ea	
Lamps	2 ea	
Desk Set	1 ea	
Coat Rack	1 ea	
Wall Hangings	2 ea	
Waste Containers	1 ea	
<b>Executive Secretary/Receptionist Areas</b>		
Executive Desk	1 ea	
Credenza	1 ea	
Computer Table	1 ea	
Lateral File Cabinet	1 ea	
Book Shelves	1 set	
Side Chairs	2 ea	
End Tables	1 ea	
Waste Containers	1 ea	
<b>Clerical Staff Workstations</b>		
Modular Workstation	1 ea	
Pedestal Desk w/drawers		
Pedestal Credenza w/drawers		
Bridges		
Stack-on Credenza Doored Shelves		
Partitioning		
Mobile Pedestal		
Task Light		
Filing Cabinet	1 ea	
Task Chair	1 ea	
Side Chair	1 ea	
Waste Containers	1 ea	

Table 8-1 Continued

Functional Area	Quant	U/M
<b>Copy/Mail/FAX Area</b>		
Work Table	1	ea
Storage Cabinet	1	ea
Recycle Containers	1	set
Waste Containers	1	ea
<b>Conference/Training Room</b>		
Conference Table	1	ea
Chairs	12	ea
Dry-Erase Board	1	ea
Audio/Video Recording System	1	sys
Clock	1	ea
Waste Containers	1	ea
Add for each 10 employees		
Conference Table Add	1	ea
Chairs Add	2	ea
<b>Staff Break Area</b>		
Dinette Table	1	ea
Chairs	4	ea
Microwave Oven	1	ea
Refrigerator	1	ea
Ice Maker	1	
Coffee Maker	1	ea
Waste Containers	1	ea
Add for each 10 employees		
Dinette Table Add	1	ea
Chairs Add	4	ea
Staff Restrooms		
Waste Containers	1	ea
<b>Office Storage Area</b>		
Shelving	1	sf
<b>File Storage Areas</b>		
File Storage Cabinets	1	ea
File Storage Systems	1	sf
<b>Waiting Area</b>		
Sofa	1	ea
Side Chairs	2	ea
Coffee Table	1	ea
End Tables	2	ea
Lamps	2	ea
Coat Rack	1	ea
<b>Central Mail Room</b>		
Modular Workstation	1	ea
Service Counter	1	ea
Mail Sort & Postage Cabinet	1	ea
Work Table	1	ea
Post Box Cabinet	1	ea
Storage Cabinet	2	ea
Storage Shelving	1	ea
Mail Cart	1	ea
Mail Dolly	2	ea
Add per supported agency/office		
Post Box Cabinet	1	ea
<b>Allied Trades Areas</b>		
Work Bench	1	ea
Stool	1	ea
Tools	1	ea
Service Cart	1	ea
Storage Cabinet	1	ea
Book Shelf	1	ea
Small Desk	1	ea
Chair	1	ea
Waste Container	1	ea





## **APPENDIX A - References**

---

1. Kentucky Court of Justice Rule of Administrative Procedure Part X. Section II., Court Facilities Criteria.
2. Kentucky Court of Justice Standard (Facility) Memorandum of Understanding (MOU).
3. Kentucky Court of Justice Rule of Administrative Procedure Part X., Section III., Facilities Design.
4. Kentucky Court of Justice Rule of Administrative Procedure Part X. Section IV., Facilities Management.
5. The Courthouse, A Planning and Design Guide for Court Facilities, National Center for the Courts.
6. Commonwealth of Kentucky Finance and Administration Cabinet Standard Architect's/Engineer's Contract.
7. American Institute of Architects Standard Forms of Agreement.
8. R.S. MEAN Construction Cost Data (current edition).
9. Legislative Research Commission's Inflation Factors.



## Appendix B – Terms, Abbreviations, and Statutes

---

Section I. Terms and Abbreviations . . . . .	B1
Section II. Summary of Commonwealth of Kentucky Statutes . . . . .	B12
Section III. Summary of Federal Statutes . . . . .	B21

### SECTION I. Terms and Abbreviations

**Abandonment:** Surrender of property rights with no intention of reclaiming them. Mere nonuse is not necessarily abandonment.

**Addenda:** Written or graphic instruments issued prior to the execution of the Contract, which may modify or interrupt the bidding documents by addition, deletion, clarifications, or corrections.

**Acquired Lands:** Lands owned by the Local Agency or the Commonwealth of Kentucky Court of Justice, obtained by purchase, donation, or condemnation.

**Acquisition:** Real property acquired by purchase, condemnation, donation, new construction, exchange, or assignment/ reassignment by the Local Agency or by the Commonwealth of Kentucky Court of Justice.

**Acts of Nature (AON):** Elements of nature; such as severe storms, tornadoes, wild fires, mudslides, earthquakes, which cause unanticipated damage to facilities.

**Adaptation:** The labor and materials required to render existing primary and/or supporting facility(ies) useable for existing, proposed, or new occupant(s) with changed and/or enhanced functions and/or capabilities. Adaptations are projects which change the capability of the primary and/or supporting facility(ies). Minor adaptations are valued at less than 20-percent of the replacement cost of the facility. Major adaptations are valued from 20 to 60-percent of the replacement cost of the facility. Adaptations with costs greater than 60-percent must be considered for new construction.

**Add-Alter (Add/Alt):** The materials and labor to enlarge (see Addition) an existing facility and alter (see Adaptation) the existing facility so as to render a single functional facility.

**Addition:** The labor and materials required to enlarge an existing facility. An addition becomes part of the existing facility and increases the available space for existing, new, or proposed Court of Justice occupants.

**Additive Alternate:** See Alternate.

**Administrative Procedure (Court of Justice Rules of “Administrative Procedure”) (AP):** Court of

Justice Rules of Administrative Procedure have the force and effect of law.

**Administrative Office of the Courts (AOC):** The Judicial Branch of government's administrative agency, which administers judicial programs, operations, personnel, facilities, and projects.

**A-E:** Architect-Engineer

**Ambient Air Quality Standards:** Standards established on a state or federal level that define the limits for airborne concentrations of designated criteria pollutants (nitrogen dioxide, sulfur dioxide, carbon monoxide, ozone, lead), to protect public health with an adequate margin of safety (primary standards) and public welfare, including plant and animal life, visibility, and materials (secondary standards).

**Annex:** A building that does not share a common wall or structure with a primary building (e.g., courthouse), but houses staff and activities, which are part of the primary building's function(s). Annexes may or may not be connected with walkways, covered, and/or enclosed connectors.

**Annexation:** A procedure by which a municipality, such as a city, town, or village, incorporates land within the corporate limits of the municipality.

**Annual Funding Guidance (AFG):** The guidance concerning the O&M of the Memorandum of Understanding (MOU) that Local Agencies receives from AOC as detailed in the Real Property Management Guide.

**Alternate or Additive Alternate:** An amount stated in the bid to be added or deducted from the Base Bid.

**AOC:** Administrative Office of the Courts.

**AOC Design Services:** Should a Design Service Provider fail to meet AOC expectations, project design schedules, design guidance, provisions of the Program Document, and/or Court of Justice Rules of Administrative Procedure, the AOC General Manager of Facilities may execute design work either with AOC Staff or another Design Service Provider, at the cost of the Design Service Provider.

**AOC General Manager of Facilities (General Manager):** A representative of the Chief Justice of the Supreme Court and the Director of the Administrative Office of the Courts who is authorized to take certain actions involving real property under the jurisdiction of the Judicial Branch (Court of Justice). The AOC General Manager of Facilities, within the Judicial Branch, is responsible for the development, operations and maintenance of Judicial Facilities as partially detailed in the Court of Justice Rule of Administrative Procedure Part X. This title (General Manager of Facilities)

**AP:** Rule of Administrative of Procedure of the Court of Justice.

**AP Part X:** Rule of Administrative Procedure Part X.

**Architect:** A person, company, or corporation practicing architecture as defined in KRS 323.010;

**Architect-Engineer (A-E):** The architectural or engineering firm, which prepares or has prepared the drawings and specifications as the Design Service Provider in accordance with Rule of Administrative Procedure Part X. Also referred to as the Design Service Provider.

**Architectural Services:** Any professional service involved in the practice of architecture as defined in KRS 323.010;

**Artifact:** Any product of human cultural activity; more specifically, any tools, weapons, artworks, etc., found in archeological contexts.

**Asbestos:** A carcinogenic substance formerly used widely as an insulation material by the construction industry and often found in older buildings.

**Attainment Area:** An area that meets the National Ambient Air Quality Standards for a criteria pollutant under the Clean Air Act or meets state air quality standards.

**Backlog of Maintenance and Repairs (BMAR):** Nonrecurring maintenance and repair needs which are not executable within the local agency or the Court of Justice budget.

**Base Bid:** See Bid.

**Best Value:** The procurement in which the decision is based on the primary objective of meeting specific requirements that are in the best long-term interests of the Court of Justice. These decisions shall be based on objective and quantifiable criteria as the result of Value Engineering.

**Bidder:** One who submits a bid directly for the work described in the bidding documents.

**Bidding or Bid Documents:** Include the Notice to Contractors, Advertisement to Bid, Instructions to Bidders, Bid Form (Form of Proposal), and the proposed Contract Documents, including any Addenda issued prior to receipt of bids. The Contract incorporates by reference pertaining to Court of Justice Rules of Administrative Procedure.

**Bid or Base Bid:** The sum stated in the Bid Proposal for which the bidder offers to perform the work described in the specifications and as detailed on the plans.

**Board:** See Project Development Board.

**Building Construction, Permanent:** A building suitable and appropriate to serve a specific purpose for a maximum period of time (minimum 60 years) and with a minimum of maintenance, repairs, adaptations, upgrades, or additions.

**Building Construction, Semipermanent:** A building suitable and appropriate to serve a specific purpose for a limited period of time (less than 60 years and more than 10 years) with a moderate to high degree of maintenance.

**Building Construction, Temporary:** A building suitable and appropriate to fill a need for a short period of time (10 years or less) without regard to degree of maintenance. The designs and details of a "temporary facility" should provide minimum facilities with maximum initial economies.

**Certification of Payment:** The Owner's Progress payment Forms.

**CFSC:** Court Facilities Standards Committee

**Change Order:** A written order to the Contractor approved by the Project Development Board and the AOC General Manager of Facilities and the AOC budget director issued after the execution of the contract, authorizing a change in the work or an adjustment in the contract sum or the contract time. All proposed changed orders must be tendered with AIA Standard Documents G710 or G701/CMa with accompanying Court of Justice Change Order Supplement (See Appendix E.)

**Change Directive:** A verbal or written order which does not cause a deviation in the construction or design budget. It is processed and approved the same as a Change Order. (See Change Order above)

**Civil Service:** Persons employed by a tax-supported agency or organization.

**Close:** All Court of Justice functions will cease or be relocated. The entire facility will be expropriated and the property disposed of if owned by the Court of Justice.

**CM:** Construction Manager

**Condemnation:** Acquisition of real estate through conversion to public use under the right of eminent domain. The acquisition of real estate not being offered for sale that is necessary for government operations by its superior ("eminent") authority over the land ("domain"). Condemnation results in passage of title and land to the government with or without the consent of the landowner, but with just compensation paid to the landowner. The purchase price is determined during the condemnation proceedings.

**Court Facilities Standards Committee (CFSC):** The committee which oversees Court of Justice projects. Approval shall be obtained from this committee prior to proceeding from Phase A design.

**Court of Justice Rules of Administrative Procedure (AP):** Court of Justice Rules of Administrative Procedure have the force and effect of law. AP is usually followed by the Part of the rule, such as AP Part X.

**Consent:** A grant of permission over lessor interest lands. Where the government has a lessor interest, normally the government will consent to the granting of an easement by the owner of the underlying fee, subject to whatever conditions are required to protect the government's interest; consideration is not required.

**Consideration:** Compensation or an equivalent (such as money, material, or services) that is given for something acquired or promised. This may be the appraised fair market value of the real property; or may include protection of the real property against loss by fire, water, or other causes; or any mutually agreeable arrangement that does not conflict with governing statutory limitations.

**Construction:** The erection, installation, or assembly of a new facility; the addition, expansion, extension, alteration, conversion, rehabilitation, restoration, or replacement of an existing facility; or the relocation of a facility from one location to another. This includes equipment installed and made a part of such facility and related infrastructures, utilities, site preparation, excavation, filling, and landscaping, or other land improvements. For approval purposes, costs of such a project include all AOC funded costs, required for project completion.

**Construction Manager (CM):** The person or entity that provides on-site coordination and services as outlined in the Rule of Administrative Procedure Part X titled Real Property Management, Section I program Development. The Construction Manager means the Construction Manager or authorized representative.

**Consultant:** A highly specialized individual or firm having significant input and responsibility for certain aspects of a project and possessing unusual or unique capabilities for assuring the success of the finished work.

**Contaminated Area:** An area where there are known or suspected EPA-listed contaminants, regardless of type.

**Contamination:** The presence of EPA-listed contaminants. Also, the presence of biological, radioactive, toxic-chemical, or hazardous substances (as defined in "CERCLA", Section II of this Appendix) at levels that may present a public hazard or exceed applicable regulatory standards.

**Contract:** The bid price offer of the Contractor as officially accepted by the Owner or Owner's Agent, evidenced by the executed Owner/Contractor Agreement of contract. When executed, the Contract becomes the legal relationship, duties, and obligations between the Owner and the Contractor as evidenced by the Contract Documents for the Project.

**Contract Completion Time:** The number of calendar days or a calendar date between the Date of Commencement and the dates set for Substantial Completion and Final Completion of the Work, including any adjustments thereto, all as established in the Contract between the Owner and Contractor.

**Contract Documents:** The Agreement between the Owner or Owner's Agent and Contractor, the Performance and Payment Bond, the General, Supplemental and Special Conditions, the Drawings, the Specifications, all Addenda issued prior to and all modifications and Change Orders issued after execution of the contract. The Contract Documents define the contract and include all items necessary for the proper execution and completion of the work. The Contract Documents are complementary. Whatever is required by one shall be as binding as if required by all.

**Contract Sum:** The sum stated in the contract including any authorized adjustments thereto; it is the total amount payable by the Owner to the Contractor for the performance of the work under the contract documents.

**Contractor:** A person, company, or corporation with whom the Owner or Owner's Agent has executed the contract or may be one whose sole undertaking is the sale of materials.

**Contractor Furnished - Contractor Installed (CFCI):** Equipment or components of a system purchased, furnished, and installed by the Contractor.

**Conversion:** A permanent change in the functional use of all or part of a building.

**Council on Environmental Quality (CEQ):** Established by the National Environmental Policy Act (NEPA), the CEQ consists of three members appointed by the President. CEQ regulations (40 CFR Parts 1500-1508, as of July 1, 1986) describe the process for implementing NEPA, including preparation of Environmental Assessments and Environmental Impact Statements, and timing and extent of public participation.

**Courts Equipment:** Courts Equipment is any equipment issued, or purchased, by the AOC to a Local Court(s) pursuant to applicable, court specific need.

**Court Facility:** A structure (Primary Facility) that houses one or more functions of the Court of Justice. It includes adjacent or supporting structures (Supporting Facilities) and improvements. (See: Primary Facility and Supporting Facilities)

**Court of Justice (COJ):** The Judicial Branch of the Commonwealth of Kentucky.

**Courts Supplies:** Courts Supplies are any supplies issued or purchased by the AOC to a Local Court(s) pursuant to applicable, court specific need.

**Criteria:** Defines the scope of work, which includes the amount of space or provision to support a specified function or person. See Rule of Administrative Procedure Part X, Section II, Court Facilities Criteria for "Court of Justice" facilities' criteria.

**Cultural History:** The archeological sequence of cultural activity through time, within a defined geographic space or relating to a particular group.

**Cultural Resource:** Prehistoric or historic district sites, buildings, objects, or any other physical evidence of human activity considered important to a culture, subculture, or community for a scientific, traditional, religious, or other reason.

**Cumulative Effects:** In NEPA, impacts on the environment that result from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or nonfederal) or person undertakes such other actions.

**Daily interest:** The total interest divided by the number of days in the first coupon, each month is calculated as thirty (30) days and an assumed year of three hundred sixty days (360).

**Date of Commencement:** The date specified in the Work Order as the date upon which the Contractor is authorized to begin work.

**Declaration of Taking:** The document filed by the AOC with a court of competent jurisdiction to obtain

specified rights, title, or interest in property. Upon filing of the Declaration of Taking and making a deposit of money (appraised value of the property) with the court, title vests in the state government.

**Design Service Provider:** The architectural or engineering firm, which prepares or has prepared the drawings and specifications as the Design Service Provider in accordance with Rule of Administrative Procedure Part X. Also referred to as the Architect-Engineer (A-E).

**Determination of Availability:** A written report stipulating that a certain kind or type of real estate that is not currently being utilized, but is not excess to the needs of the controlling command or agency, is available for Court of Justice use.

**Developed:** Descriptive term applied to land, a lot, a parcel, an area that has been built upon, or where public services have been installed prior to residential or commercial construction.

**Direct Costs:** Direct materials, direct labor, subcontract costs, and other miscellaneous costs such as bonding and equipment rentals, that are directly related to and can be specifically attributed to an individual contract.

**Direct Expenses:** All items of expenses directly incurred by or attributable to a specific project, assignment, or task that is directly related to and can be specifically attributed to an individual contract.

**Director:** Director of the Administrative Office of the Courts. The title of the position within the Judicial Branch of Government responsible for the administrative operations of the Court of Justice.

**Disposal:** Any authorized method of permanently divesting the accountable agency from control and responsibility for real property or an interest therein.

**Diversion:** A temporary change in the functional use of all or part of a building, involving no major structural changes or modifications.

**Drawings:** The graphic and pictorial portions of the Contract Documents, wherever located and whenever issued, showing the design, locations, and dimensions of the work, generally including plans, elevations, sections, details, schedules, and diagrams.

**Dominant Estate:** The land that is served or benefited by the existence of an easement on some other land.

**Donation:** Acquisition of real estate through free gift to the Local Agency or to the Commonwealth of Kentucky.

**Easement:** An agreement that grants use of real property for specified purposes for a specific term or in perpetuity for purposes and conditions upon which a public or private agency or individual may grant easements affecting its property. These limitations, plus the fact that the grantor is not excluded from such use of the real property involved, as will not interfere with the grantee's use, normally distinguishes an easement from a lease.

**Easement Appurtenant:** The right of an owner of real estate to use part of another owner's land.

**Easement in Gross:** The right of a person, whether or not an owner of real estate, to use part of another person's land.

**Enclave:** A section of facility, that is not owned or operated by the Court of Justice, that remains as a Court of Justice function.

**Encroachment:** An unauthorized invasion of a fixture, building, or other improvement onto another person's property.

**Endangered Species:** A species that is threatened with extinction throughout all or a significant portion of its range.

**Engineering Services:** Any professional service as defined in KRS 322.010(4) and (5).

**Environmental Assessment (EA):** A document which may be required to identify environmental impacts of a project.

**Environmental Checklist (ECL):** A document which identifies potential environmental impacts of a project.

**Environmental Impact Statement (EIS):** A document required of federal agencies and federal-funded activities by NEPA for major projects or legislative proposals significantly affecting the environment. A tool for decision making, the EIS describes the positive and negative effects of the undertaking and lists alternative actions.

**Equipment-in-Place:** A special category of property consisting of capital equipment (non-consumable personal property that possesses a capital nature and is classified as nonexpendable) and other nonexpendable supplies of a movable nature that are not affixed as an integral part of the facility and may be removed without destroying or reducing the

usefulness of the facility (e.g., electric generators, gas cylinders).

**Excess real estate:** Any real property that is no longer required by a controlling command or agency to perform its assigned mission.

**Excessing** (noun): The process of determining that real estate is not needed by the Court of Justice.

**Excessing** (verb): Reporting excess property to the disposal agency for disposal.

**Exchange:** Acquisition of real estate through transfer of equally valued property.

**Existing Facilities:** Facilities (primary and supporting facilities) which may be currently used by the Court of Justice.

**Extra Work:** Work not part of the existing Contract Documents which is being added to the Contract by Change Order.

**Facilities:** Any interest in land and structure or complex of structures together with any supporting road and utility improvements necessary to support the functions of a Court of Justice activity.

**Facility Construction:** Facility construction includes the acquisition, construction, expansion, rehabilitation, and conversion of facilities for use by the Courts.

**Facilities Inventory Program (FIP):** The AOC database which defines location, occupants, size, and characteristics of a facility. Also, it provides data for future year budgeting. Currently the FIP uses Archibus facilities management software.

**Facility, Active:** A facility currently in use by the Court of Justice.

**Facility, Inactive:** A facility not in current use, but controlled by the Court of Justice.

**Facility Needs:** The nature and scope of a facility required to support a function(s) at a specific point in time.

**Facility Restoration Program (FRP):** A program established by the AOC to meet requirements of CERCLA and SARA (as defined in Section II of this Appendix) that identifies, assesses, and cleans up or controls contamination from past hazardous waste disposal practices and hazardous material spills.

**Fair Market Value:** The highest price estimated in terms of money that a property will bring if exposed for sale in the open market allowing a reasonable time to find a purchaser who buys with knowledge of all the uses to which it is adapted and for which it is capable of being used. It is often referred to as the price at

which a willing seller would sell and a willing buyer would buy, neither being under abnormal pressure.

**Fee Owned:** Real property for which the Commonwealth of Kentucky has all right, title, and interest rather than a partial interest.

**Field Order:** A written order issued by the A-E which clarifies or interprets the Contract Document, or orders minor changes in the Work which do not require a Change Order. (also see: Written Order)

**Final Completion:** The Work is acceptable to the AOC General Manager of Facilities under the Contract Documents and the Contract is fully performed in accordance with the terms and conditions of the Contract Documents and the entire payment balance due the Contractor is due and payable,

**Final Completion Date:** Thirty (30) calendar days from the date established for Substantial Completion.

**Fixture:** Property affixed to walls, floors, and/or ceiling that is so related to real property that a real property interest arises in it (e.g., installed furnace, casework, judges benches, plumbing fixtures, etc.). Does not include building materials.

**Funds:** The terms "AOC funds" or "AOC costs" refers to funding or use of funds appropriated by the General Assembly.

**Furnish:** Supply and deliver to project site, ready for unloading, unpacking, assembly, installation, etc., as applicable in each instance, except as otherwise defined in greater detail.

**GC:** General Contractor.

**General Manager:** General Manager of Facilities (AOC). See AOC General Manager of Facilities.

**Goods (Durable & Non-Durable):** Durable Goods: Non-supply (consumable) Items or equipment used to create necessary work environments. Examples of Durable Goods for facility-related activities primarily include construction materials, repair parts and tools. Non-Durable Goods: Non-supply items required for the operation of the facility. Examples of Non-Durable goods includes; air-filters, light bulbs, extension cords, work clothing, etc.

**Goods and Services:** The execution of work that requires both goods (durable and non-durable) and services. Examples of goods and services includes; repair work, maintenance, rehabilitation of facilities work, painting, minor construction, etc.

**Hazard Ranking System:** A system that provides a uniform method of scoring or ranking of the potential risk of a facility site where a hazardous substance has

been present. EPA developed the HRS to prioritize its cleanup efforts. EPA evaluates the draft HRS packages and proposes any facilities scoring 28.5 or higher for inclusion on the National Priorities List (NPL). Facilities listed on the NPL receive the highest priority for cleanup.

**Hazardous Substance:** A substance or mixture of substances that poses a substantial present or potential risk to human health or the environment; any substance designated by EPA to be reported if a designated quantity of the substance is spilled in the waters of the United States or otherwise released into the environment.

**Hazardous Waste:** A waste or combination of wastes that, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may either cause or significantly contribute to an increase in mortality or an increase in serious irreversible illness, or may pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed. Regulated under the Resource Conservation and Recovery Act.

**Hazardous Waste Accumulation Area:** An area that may store a hazardous substance for up to 90 days.

**Hazardous Waste Storage Area:** An area that may store a hazardous substance for up to one year.

**Hold Harmless Agreement:** Provides an indemnification whereby a private party agrees to be financially liable for damages resulting from injuries to persons or damages to property arising from governmental activities or other causes.

**Holding Agency:** The State or Local agency with accountability for property.

**Host:** A state or local agency that has management control of facilities and that provides services and/or facilities to another state or local agency.

**Improvements:** Construction activities amounting to more than repair or replacement and costing labor or capital (e.g., walls, fixtures, cabinetry, buildings, pavements, roads, fences, landscaping, and other structures more or less permanently attached to the property).

**Incremental Purchasing/Construction/Projects:** The purchasing of Supplies, Goods, Services, and Goods and Services in parcels in which each parcel does not render a complete and useable function. The incremental development of a function or a project in order to remain below purchasing limits is strictly prohibited.



**Infrastructure (external):** The basic installations and facilities on which the continuance and growth of a locale depend (roads, utilities, power plants, transportation, and communication systems).

**Infrastructure (internal):** The basic systems required to render a facility fully operational (ADP cabling, telecommunications cabling, video cabling, etc.).

**Ingrants:** Property acquired for use by lease, license, or permit.

**Install:** Operations at project site including unloading, storage, unpacking, assembly, erection, placing, anchoring, applying, working to dimension, furnishing, curing, protecting, cleaning and similar operations, as applicable in each instance.

**Installed Building Equipment:** Items of equipment and furnishings, including materials for installation thereof, which are required to make the facility usable and are attached as a permanent part of the structure (e.g., air-conditioning system, elevators, fixed fire protection system).

**Installer:** The entity (person or firm) engaged by Contractor or its subcontractor for performance of a particular unit of work at project site, including installation, erection, application and similar required operations. It is a general requirement that such entities (Installers) be expert in operations they are engaged to perform.

**Invitation for Bids:** All documents, whether attached or incorporated by reference, utilized for soliciting bids in accordance with the procedures set forth in the Program Development component of the Court of Justice Real Property Management Standards.

**Judicial Branch:** The Judicial Branch of Government (other branches are Executive and Legislative). The head elected officer of the Judicial Branch is the Chief Justice of the Supreme Court.

**Lease:** An agreement that grants exclusive possession and use of a definite and certain parcel of land and/or buildings or other property, or part thereof, for a specified period of time, revocable at will or as otherwise provided in the agreement, in consideration of a return of rent.

**Legislative Jurisdiction:** The authority to exercise police power over an area.

**Level repayment schedule:** means a repayment schedule in which the combined amount of principal and interest payments, per fiscal year, for each issue of bonds remains relatively constant (ideally the difference between the lowest fiscal year payment and the highest fiscal year payment is within \$5,000) over the life of the issue.

**Local Public Agency:** Also referred to as "Local Agency" shall have the same meaning given in KRS 45A.345.

**Local Agency:** See Owner

**License:** A license is a bare authority to do a specified act or acts upon the property of the licensor without acquiring any estate. The principal reason for a license is to authorize an act. If there is no license, the act is a trespass.

**Life Cycle Cost Analysis:** An analysis of the economic feasibility of a feature or system which results in a determination as to whether any increase in initial construction cost due to inclusion of the feature or system would be recouped during its lifetime by decreases in operating and/or maintenance costs, when calculated in discounted dollars and using documentable current local fuel cost and escalation forecasts as prepared by the Legislative Research Commission.

**Maximum annual repayment amount:** The maximum aggregate total of annual payments for all bonds issued for a particular court facility in which the Court of Justice has participated

**Memorandum of Understanding (MOU):** an agreement between the Court of Justice and the Owner required prior to submission of a project for Legislative funding consideration.

**Mitigation:** A method or action to avoid, minimize, rectify, reduce, or compensate for program or project impacts.

**MOU:** See Memorandum of Understanding

**N/A:** Not applicable.

**National Pollutant Discharge Elimination System (NPDES):** A provision of the Clean Water Act that prohibits discharge of pollutants into waters of the United States unless a permit is issued by the Commonwealth of Kentucky for the EPA.

**Native Americans:** Used in the collective sense to refer to individuals, bands, or tribes that trace their ancestry to indigenous populations of North America prior to Euro-American contacts.

**Non-Courts Facilities:** All facilities which are not supported with AOC funding.

**Non-Excess Property:** Property required for an agency mission but proposed for sale to obtain proceeds in an amount sufficient to fund acquisition or replacement land or facilities.

**Non-Proprietary:** See Proprietary.

**Nonusable Condition:** Used to describe a facility as unserviceable, because it has deteriorated to the extent that it needs extensive restoration or it is a danger to the health and safety of personnel or to equipment.

**Not Utilized:** Refers to an entire property or portion thereof, with or without improvements, not occupied for current program purposes of the accountable executive agency, or occupied in caretaker status only. Real property not utilized is to be declared excess.

**Not Being Put to Optimum Use:** Refers to an entire property or portion thereof, with or without improvements, which (1) even though utilized for current program purposes of the accountable executive agency is of such nature or value, or is in such a location that it could be utilized for a different significantly higher and better purpose, or (2) the costs of occupying are substantially higher than would be applicable for other suitable properties that could be made available to the accountable executive agency through transfer, purchase, or lease with total net savings to the Court of Justice after consideration of property values as well as costs of moving, occupancy, efficiency of operations, environmental effects, regional planning, and employee morale. Real property not being put to optimum use is to be declared excess.

**NIC:** Not in Contract

**Operations and Maintenance (O&M):** Functions and services required for a facility to support Court of Justice activities as authorized by the Real Property Management Standards and the Memorandum of Understanding.

**Option:** The right to purchase real estate at a specified price during a stipulated period of time.

**Outgrant:** An authorization for use of Court of Justice real property controlled by the AOC to other local or state agencies. Types of outgrants include leases, licenses, permits, easements, and consents.

**Owner:** The government agency (Local Agency), which has legal title to the property. For project development, see Owner's Agent and Project Development Board.

**Owner Furnished - Contractor Installed (OFCI):** Equipment or components of a system that are purchased by the Owner and furnished to the Trade Contractor for installation in the project. The Contractor shall receive, store, protect, install, connect, and test each item unless otherwise indicated.

**Owner Furnished - Owner Installed (OFOI):** Equipment or components of a system that are

purchased, furnished, and installed by the Owner or his vendors.

**Owner's Agent:** A government agency, or in the facility development process, the Project Development Board, other than the Owner, which has authority to approve, execute and manage work and contracts relating to the proposed construction. See Project Development Board.

**PCB-Contaminated Equipment:** Equipment that contains a concentration of polychlorinated biphenyls (PCBs) from 50 to 449 parts per million or greater. Disposal and removal are regulated by EPA.

**PDB:** Project Development Board.

**Permit:** Temporary authorization conferred on one government agency to use property under the jurisdiction of another government agency. Rent or reimbursement for Operations and Maintenance costs is usually offered for this privilege.

**Personal Property:** Any property not considered real property. Personal property includes all property except land and fixed-in-place buildings, and records of the Court of Justice.

**Phase (A, B, and C) Reviews:** The General Manager of Facilities or his or her designee executes reviews of design documents near the end of design Phases A, B, and C. The role of the AOC includes providing design input and reviews of designs and design related products to insure adherence to Court of Justice Rules of Administrative Procedure during Phase (A, B, and C) Reviews.

**Polychlorinated Biphenyls (PCBs):** Any of a family of industrial compounds produced by chlorination of biphenyl. These compounds are noted chiefly as an environmental pollutant that accumulates in organisms and concentrates in the food chain with resultant pathogenic and teratogenic effects. They also decompose very slowly.

**Portable Building:** A building designed and constructed to be easily dismantled to facilitate economical movement from one site to another.

**Potable Water:** Water that is suitable for drinking.

**Prehistoric:** The period of time before the written record.

**Prevailing Wage:** Please see Wage Grade.

**Primary Facility:** The building, including all mechanisms, devices and fixtures required to make the building fully functional.

**Program Document:** The document prepared or approved by the Court of Justice in conjunction with the

Local Agency, which details the nature, scope, and budget of a construction project or proposed construction project.

**Project Proponent:** Typically the Court of Justice and the Local Agency (owner) share proponent duties. For some concerns, such as environmental, budgeting, and programming, the entity which has the most adequate applicable resources shall execute the necessary duties. In the event that neither entity has adequate resources, a service provider may be used to execute required tasks.

**Project Development Board (PDB):** A board of local and state-at-large members, which is created to execute the development of a court facility. A Project Development Board, during facility development, acts as the Owner's Agent and an agent for the Court of Justice. Project Development Board authority, duties, responsibilities, and procedures are defined and detailed in Court of Justice Rule of Administrative Procedure Part X, Section 1, titled Construction Program Development.

**Project.** Any capital improvement project, study, plan, survey, or new or existing program activity of a political subdivision that requires architectural or professional engineering services and all required construction described in or reasonably inferred by the plans, specifications, and other related bid documents.

**Provide:** Furnish, install, and pay for.

**Proprietary:** A supply, good or service, which may only be procured from one source or is manufactured by only one company. However, items (supplies, goods, or services) which must; "match" like items or systems within a facility, maintain compatibility with relational systems; or must require similar maintenance and repair supplies goods and services are considered "Non-Proprietary".

**Public Benefit Discount Conveyance:** A method of disposal of government real property by which state or local government entities may obtain property at less than fair market value. Such conveyances are sponsored by federal agencies for uses that benefit the public, such as use of property for educational purposes, parks, recreation, wildlife conservation, or public health.

**Purchase:** Acquisition of real estate through buying for a mutually agreed price between a willing buyer and a willing seller.

**Qualification Statement:** Federal form SF254 and any other supporting documents that present a firm's qualifications and performance data. All references to the Federal Government should be considered to be "the Commonwealth of Kentucky Court of Justice". Block 9 SF254, "Direct Federal contract work" shall be

considered Direct Federal, State and Local Government work.

**Radon:** A colorless, naturally occurring, radioactive, inert gaseous element formed by radioactive decay of radium in soil or rocks.

**Real Estate:** Includes land and interests therein, leaseholds, standing timber, buildings, improvements, and appurtenances thereto. It also includes buildings, warehouses, basements, utility systems, rights-of-way, and easements, whether temporary or permanent, and improvements permanently attached to and ordinarily considered real estate. Sand, gravel, and stone-quarried products in their natural state are real estate. Land includes minerals in their natural state and standing timber; when severed from the land, these become personal property. Rights and interest include leaseholds, easements, rights-of-way, water rights, air rights, and rights to lateral and subjacent support. Installed building equipment is considered real estate until severed. Equipment in place is considered personal property. The terms "real estate" and "real property" are synonymous and interchangeable.

**Real Property:** See definition of real estate.

**Record Drawings:** The documents which are maintained by the Construction Contractor as that detail the actual and dimensional "as-built" condition of the facility. At project completion, Record Drawings to be delivered to the Local Agency and the AOC General Manager of Facilities shall be a digital compilation of the Contractor's detailed information submitted in United States National CAD Standard format on two (2) Compact Disks (CD), and a transparency set of the working drawings and specifications, with all record information included.

**Record of Decision (ROD):** A document prepared by the Court of Justice that articulates the reasoning behind a decision. RODs are essential documents in NEPA and in the CERCLA cleanup process.

**Rehabilitation:** The labor and materials required to make existing primary and or supporting facility(ies) useable for an existing occupant. Rehabilitations include projects which change the capability of the primary facility(ies). Minor rehabilitations are valued at less than 20-percent of the replacement cost of the facility. Major rehabilitations are valued from 20 to 60-percent of the replacement cost of the facility. New construction must be considered for rehabilitations estimated to cost over 60 percent of the replacement cost of a facility.

**Relocatable Building:** A building designed for the purpose of being readily moved, erected, disassembled, stored, and reused (e.g., trailer-type building but not mobile trailer). Usually considered personal property but in certain instances is on the real property account.

**Remedial Investigation (RI):** An investigation performed to fully define the nature and extent of contamination at a site and evaluate possible methods of cleaning up the site. During the investigation, groundwater, surface water, soil, sediment, and biological samples are collected and analyzed to determine the type and concentration of each contaminant. Samples are collected at different areas and depths to help determine the spread of contamination.

**Removal Action:** In the event of an immediate threat or potential threat to human health or the environment, a short-term mitigating or cleanup action may be implemented. The goal of the removal action is to isolate the contamination hot spots and their source from all biological receptors. Often, removal actions do not completely clean up a site, and additional remediation steps are required.

**Renovation:** The labor and materials required to render an existing primary facility(ies) useable for an existing occupant for existing function(s). Renovations do not include projects which change facility capability(ies) and/or occupants (See Adaptation). Minor renovations are valued at less than 20-percent of the replacement cost of the facility. Major rehabilitations are valued from 20 to 60-percent of the replacement cost of the facility. New construction must be considered for renovations estimated to cost over 60 percent of the replacement cost of a facility.

**Replacement:** Reconstruction of a real property facility destroyed or damaged beyond the point at which it may be economically repaired. Complete replacement is classified as construction.

**Request for Quotation (RFQ):** The instrument, including all documents, whether attached or incorporated by reference, in which the Court of Justice solicits vendors for supplies, goods, services, or goods and services in accordance with the procedures set forth in KRS 45A.085, 45A.090, 45A.095, or 45A.100.

**Restrictive Covenant:** An agreement contained in a deed or lease that restricts the use and occupancy of real property.

**Right of Entry:** A form of license, typically to perform surveys and exploration work or for construction prior to acquisition or lease of land. Rental is not usually offered for this privilege.

**Runoff:** The noninfiltrating water entering a stream or other conveyance channel shortly after a rainfall event.

**Screening:** AOC's circulating of a notice that real property under its control is no longer needed,

thereby allowing other agencies to indicate their firm requirement for its use and to request its transfer.

**Services:** The execution of work, including necessary supplies and non-durable goods, is considered a service. Services includes, but not limited to: snow & ice removal, custodial work, preventative maintenance, design work, instruction, etc.

**Servient Estate:** The land on which an easement exists that benefits other land.

**Shop Drawings:** Drawings, diagrams, schedules and other data specially prepared for the work by the Contractor or any subcontractor, manufacturer, supplier or distributor to illustrate some portion of the work.

**Soil Type:** A category or detailed mapping unit used for soil surveys based on phases or changes within a series (e.g., slope, salinity).

**Solid Waste Management:** Supervised handling of waste materials from the source through recovery processes to disposal.

**State Historic Preservation Officer (SHPO):** The official within each state, authorized by the state at the request of the Secretary of the Interior, to act as a liaison for purposes of implementing the National Historic Preservation Act.

**Subcontractor:** The person, company or corporation having a direct contract with the Contractor for the performance of a part of the work

**Substantial Completion:** The date, thirty (30) days prior to Final Completion, as certified in writing by the A-E, the project is at a level of completion in strict compliance with the Contract, and necessary approval by public authorities has been granted, such that the Owner and the Court of Justice can enjoy beneficial use or occupancy and use, operate, and maintain it in all respects, for its intended purpose. Partial use or occupancy of the Project shall not result in the Project being deemed substantially complete and such partial use or occupancy shall not be evidence of Substantial Completion.

**Superintendent:** The staff member charged with the responsibility to manage, execute, supervise, review, inspect all activities relating to the completion of a facilities related task, project or program.

**Support Code:** Identifies the Court of Justice or Administrative Office of the Courts occupant(s) of a facility.

**Supporting Facilities:** All required items except the Primary Facility (building). Supporting facilities include, but are not limited to: site preparation, fine grading and seeding, planting, paved parking and parking structures, paved aprons, curbs, walkways,

detached facility signage, utilities, security lighting and fencing (or barriers), flagpole, and lawn sprinkler systems.

**Surface Danger Zone:** The area designated on the ground of a construction or demolition, to include associated safety areas, for the vertical and lateral containment of fragments, debris, and components resulting from construction or demolition, including explosives.

**Surface Water:** All water naturally open to the atmosphere and all wells, springs, or other collectors that are directly influenced by surface water.

**Surplus Real Estate:** Any excess real property not required for the needs and discharge of the responsibilities of all federal agencies, as determined by the GSA Administrator.

**State:** The Commonwealth of Kentucky.

**Tenant:** A unit or activity of a state or local agency that receives services and occupies facilities provided by another state or local agency through a mutually developed written agreement.

**Threatened Species:** Plant and wildlife species likely to become endangered in the foreseeable future.

**Transfer:** Change of jurisdiction over real property from one state or local agency to another. A transfer accords permanent irrevocable use of land coupled with the authority to control and regulate all aspects of the land.

**U.S. Environmental Protection Agency:** Referred to as the "EPA". In the Commonwealth of Kentucky, the Cabinet for Natural Resources and Environmental Protection acts on behalf of the EPA as the independent agency established in 1970 to regulate state and federal environmental matters and oversee the implementation of state and federal environmental laws.

**Underutilized:** The term "underutilized" refers to an entire property or portion thereof, with or without improvements, that is used only at irregular intervals or intermittent periods by the accountable executive agency for current program purposes of that agency, or is used for current program purposes that can be satisfied by only a portion of the property. Underutilized real property is to be declared excess.

**Utilization Survey:** An on-site survey of a facility to determine whether real property is being adequately utilized to justify retention.

**Vacated Premises:** Property from which all Court of Justice personnel and functions have been vacated.

**Value Change Orders:** The primary objective of Value Change Orders is to minimize construction time and costs while maintaining or increasing project quality. "Value Change Orders", with supporting quantifiable documentation and justification tendered by the A-E and Construction Manager must:

- ☐ Insure equal or better performance,
- ☐ Insure equal or better durability,
- ☐ Insure equal or better aesthetic appearance,
- ☐ Insure equal or less life cycle (maintenance and repair) costs,
- ☐ Have the written endorsement of the A-E,
- ☐ Have the written approval of the AOC General Manager of Facilities, and
- ☐ Must reduce construction costs.

**Value Engineering:** The comparison of short term cost savings to increased long term costs.

**Wage Grade:** Contractor and Subcontractor must comply with the (prevailing) wage grade determinations and reporting requirements in accordance with the "Act Relating to Contracts for Public Works," KRS 337.505 to 337.550.

**Wetlands:** Areas that are inundated or saturated with surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil. This classification includes swamps, marshes, bogs, and similar areas. Jurisdictional wetlands are those wetlands which meet the vegetation, soils, and hydrology criteria under normal circumstances (or meet the special circumstances as described in the U.S. Army Corps of Engineers' 1987 wetland delineation manual where one or more of these criteria may be absent) and are a subset of "waters of the United States."

**Work:** Construction and services required by the Contract Documents, whether completed or partially completed, and includes all labor, supervision, administration, materials, equipment, services, and things provided or to be provided by the Contractor to fulfill the Contractor's obligations.

**Work Order:** A written notice by the Owner to the Contractor, authorizing the Contractor to commence Work under the Contract and establishing the Date of Commencement from which the date required for Substantial Completion and Final Completion shall be established.

**Written Order:** A "field order" issued by the Architect, which clarifies or interprets the Contract Documents or orders minor changes in the work which does not require a change order.

**Zoning:** The division of a municipality into districts for the purpose of regulating land use, types of buildings, required yards, necessary off-street parking, and other prerequisites to development. Zones are typically shown on a map, and the text of the zoning ordinance specifies requirements for each zoning category.

## SECTION II. Summary of Commonwealth of Kentucky Statutes

### **26A.090 Definitions for KRS 26A.090 to 26A.115.**

As used in KRS 26A.090 to 26A.115, unless the context otherwise requires:

(1) "Operating costs allowance" means compensation equivalent to the annual expenses borne by the unit of government for utilities, janitorial service, rent, insurance, and necessary maintenance, repair, and upkeep of the court facility which do not increase the permanent value or expected life of the court facility, but keeps it in efficient operating condition, and, at the election of the Administrative Office of the Courts, capital costs of interior or mechanical renovations for the benefit of the court.

(2) "Use allowance" means compensation equal to four percent (4%) annually of the total original capital costs and the cost of capitalized renovation of the court facility, except that if indebtedness has been incurred in respect to such capital costs at an interest rate equal to or greater than seven percent (7%), compensation shall be at a rate of eight percent (8%) annually of that portion of the capital costs for which the rate applies. For refinanced projects constructed or renovated prior to July 1, 1994, the use allowance payment shall not change for the term of the original bond issue, unless there is a change in the space occupied. For court facilities renovated or constructed after July 1, 1994, "use allowance" means the court's proportional share of the annual principal and interest cost in connection with the renovation or construction, but not to exceed eight percent (8%) annually of capital costs, or, if there is no debt, four percent (4%) annually of capital costs. Beginning with court facility construction or renovation projects authorized by the 2000 Regular Session of the General Assembly, "use allowance" means the court's proportional share of the annual principal and interest costs in connection with the construction or renovation of the facility, not to exceed the authorized annual use allowance.

(3) "Capital costs" means the costs borne by the unit of government, excluding grants, conditioned by the grantor agency specifically for court facility construction or renovation, for acquisition of property and for construction and capitalized renovation including interest accruing during construction or renovation, but no other interest of each court facility. If capital costs are not documented, reasonable estimates provided by qualified appraisers will suffice. After July 14, 2000, capital costs, for the purpose of computing the maximum annual use allowance, shall not exceed the project scope as authorized by the General Assembly in the judicial branch budget or as increased and approved under KRS 26A.164.

(4) "Capitalized renovation" means all remodeling involving the structural or mechanical systems, except for remodeling that involves substantial demolition of the original structure. Remodeling involving

substantial demolition of the original structure shall constitute construction resulting in a new court facility.

(5) "Unit of government" means a county, city, urban-county government, special district, or corporate entity created for the purpose of constructing or holding title to a court facility.

(6) "Court facility" means the land and buildings owned or operated by a unit of government in which space for the court of justice is provided. Judges' benches, jury and witness boxes, and fixed seating shall be considered as permanent building fixtures.

(7) "Court facilities standards committee" means a committee consisting of the Chief Justice or his designee; one (1) judge each of the Court of Appeals, the Circuit Court, and the District Court appointed by the Supreme Court; the president of the Circuit Clerks' Association; the chairmen of the House and Senate Judiciary Committees of the General Assembly; the secretary of the Finance and Administration Cabinet; the director of the Administrative Office of the Courts; and a county judge/executive appointed by the Governor. Each appointed member shall serve for a term of four (4) years from the date of his appointment or until he vacates the office in respect to which he was appointed, whichever is earlier.

**Effective:** July 14, 2000

**History:** Amended 2000 Ky. Acts ch. 496, sec. 1, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 28, sec. 1, effective March 6, 1998. -- Amended 1994 Ky. Acts ch. 294, sec. 1, effective July 1, 1994. -- Amended 1982 Ky. Acts ch. 449, sec. 2, effective July 15, 1982. -- Created 1978 Ky. Acts ch. 336, sec. 1, effective July 1, 1978.

### **26A.130 Conveyance of court facility to Commonwealth.**

A court facility which is entirely dedicated to Court of Justice purposes may be conveyed to the Commonwealth for court purposes with or without consideration. Provided, however, that no such conveyance shall be accepted by the Commonwealth unless the Administrative Office of the Courts has certified its agreement to maintain the facility.

**Effective:** July 15, 1982

**History:** Created 1982 Ky. Acts ch. 449, sec. 5, effective July 15, 1982.

**26A.160 Design, financing, and construction of court facilities -- Rules of procedure and guidelines -- Oversight -- Financing requirements -- Project standards -- Application.**

(1) The Chief Justice shall establish rules of procedure or guidelines on matters relating to the design, financing, and construction of court facilities. The rules or guidelines shall encompass:

(a) The duties and responsibilities of the Administrative Office of the Courts under this section;

(b) Criteria for evaluating the feasibility or practicability of various contracting or construction methods;

(c) A project management system for managing, monitoring, and reporting on projects through all phases from funding to completion, including change-order procedures;

(d) Assistance to counties in evaluating proposals for architectural, construction, or other professional services;

(e) Methods for financing energy savings projects, Americans with Disabilities Act projects, and other improvement projects;

(f) Kentucky standards for court facilities, including detailed requirements for space, construction, interior and exterior finishes, structural and mechanical systems, fixed and moveable furniture and equipment, and maximum unit cost for court facilities throughout the Commonwealth; and

(g) The maintenance and operation of court facilities after construction.

(2) The Administrative Office of the Courts shall oversee the design, financing, and construction of court facilities. The Administrative Office of the Courts shall:

(a) Assess the need for court facilities construction or renovation throughout the Commonwealth. The assessment shall consider the age, space adequacy, projected needs, structural soundness, mechanical and electrical systems, security needs, and interior and exterior quality of existing court facilities;

(b) Develop a project program for the construction or renovation of court facilities that the Administrative Office of the Courts determines to be most in need of construction or renovation, based on the needs assessment required under paragraph (a) of this subsection. The project program shall detail a complete and specifically defined court facilities project that conforms to the Kentucky standards for court facilities established under paragraph (f) of subsection (1) of this section, and shall include itemized space requirements, space relationships, design goals, scope limits, site considerations, cost estimates, and a proposed project budget;

(c) Establish the financial condition of any county that contains a court facility for which a project program under paragraph (b) of this subsection has been developed to determine the county's ability to participate in the proposed project. The Administrative Office of the Courts may discharge this responsibility by obtaining certification of the county's financial

condition from the Department for Local Government, under KRS 147A.021(5);

(d) Develop a prioritized list, with cost estimates, based on land availability and the considerations required by this section, of proposed court facilities projects, and submit the list to the Chief Justice for approval and to the Court Facilities Standards Committee for informational purposes only. Upon approval by the Chief Justice, the Administrative Office of the Courts shall submit the prioritized list to the Capital Planning Advisory Board, by April 15 of each odd-numbered year, in accordance with KRS 7A.120; and

(e) Develop and maintain uniform contracts to be used by local units of government when procuring architectural, construction, financial, or other services relating to court facilities projects authorized by the General Assembly.

(3) Before the Administrative Office of the Courts submits a budget request for court projects under KRS 48.050, each local unit of government that is expected to participate in financing a requested court project shall enter into a written memorandum of agreement with the Administrative Office of the Courts. Each county with a court project authorized by the 2000 General Assembly shall enter into a written memorandum of agreement with the Administrative Office of the Courts. The agreement shall be developed by the Administrative Office of the Courts, shall specify the rights, duties, and obligations of the local unit of government and the Administrative Office of the Courts relating to the project, and shall be contingent upon the project's authorization by the General Assembly.

(4) No contract, and no modification to any contract, relating to the design, financing, or construction of court facilities projects authorized by the General Assembly shall be executed unless first reviewed and approved by the Administrative Office of the Courts.

(5) All court facilities projects, beginning with those authorized by the 2000 General Assembly, shall comply with the Kentucky standards for court facilities established under paragraph (f) of subsection (1) of this section. No other standards shall be used.

(6) This section shall not affect or apply to any contract executed prior to July 14, 2000.

(7) All local units of government or any other entity providing space to the Court of

Justice under KRS 26A.100 shall, consistent with the law, comply with the rules of procedure and guidelines established by the Chief Justice and administered by the Administrative Office of the Courts under this section.

**Effective:** July 14, 2000

**History:** Created 2000 Ky. Acts ch. 496, sec. 2, effective July 14, 2000.



**26A.162 Determination of use allowance --  
Presumption of twenty year bond issue --  
Standards for longer term of issue -- Legislative  
oversight.**

(1) The use allowance in the judicial branch budget recommendation submitted under KRS 48.100 shall be determined as if bonds will be issued for a term of twenty (20) years at the prevailing market rate, computed from the estimated date that the Court of Justice will occupy the facility. If the market rate for the bonds has increased when the bonds are to be sold, the director of the Administrative Office of the Courts may approve an extension in the bond term, up to a total of twenty-five (25) years, but only as necessary to keep the annual use allowance within the budgeted amount. All bonds issued by any local unit of government for court facilities projects shall be limited to the term approved by the Administrative Office of the Courts.

(2) Before approving any bond issue for a term exceeding twenty-five (25) years, the director of the Administrative Office of the Courts shall submit a proposal for the extended term to the Interim Joint Committee on Appropriations and Revenue and the Capital Projects and Bond Oversight Committee. The proposal shall include a statement of the necessity for the extended bond term and the impact of the extended term on the project's budgeted scope and authorized annual use allowance.

(3) Within thirty (30) days after receiving a proposal to extend a bond term beyond twenty-five (25) years, the Interim Joint Committee on Appropriations and Revenue and the Capital Projects and Bond Oversight Committee shall either approve or disapprove the proposal and shall then promptly notify the director of the Administrative Office of the Courts. If either committee disapproves the proposal, the director of the Administrative Office of the Courts shall take one (1) of the following actions and shall notify the committee of its decision in writing within thirty (30) days:

(a) Disapprove and take no further action on the proposal;

(b) Revise the proposal to comply with the committee's objections; or

(c) Determine to approve and proceed with the proposal over the committee's objection.

**Effective:** July 14, 2000

**History:** Created 2000 Ky. Acts ch. 496, sec. 3, effective July 14, 2000.

**26A.164 Court facility use allowance contingency  
fund -- Purpose -- Conditional  
use -- Legislative oversight.**

(1) There is created a court facility use allowance contingency fund. The fund shall consist of money appropriated to it in the judicial branch budget by the General Assembly. Money in the fund shall not lapse but shall be carried forward to the next fiscal year or biennium.

(2) The Court of Justice may agree to increase the budgeted scope of a court project or project pool authorized in a judicial branch budget bill enacted by the General Assembly, and may use the use allowance contingency fund to cover any resulting increase in the budgeted annual use allowance, if and only if:

(a) The appropriate unit of government first submits a proposal for the increase to the Court Facilities Standards Committee, and the Court Facilities Standards Committee approves the increase;

(b) The annual use allowance for the project or project pool, adjusted for the proposed increase in scope, would not exceed the annual use allowance specified for that project or project pool in the multiyear use allowance schedule set out in the judicial branch budget bill or memorandum by more than fifteen percent (15%); and

(c) The requirements of KRS 26A.166 have been met.

**Effective:** July 14, 2000

**History:** Created 2000 Ky. Acts ch. 496, sec. 4, effective July 14, 2000.

**26A.166 Increase in budgeted scope of court  
facility project -- Conditions for  
approval -- Legislative oversight.**

(1) Before the Court of Justice gives final approval to an increase in the budgeted scope of an authorized project or project pool listed in a judicial branch budget bill which would result in an increased use allowance, the director of the Administrative Office of the Courts shall submit a proposal for the increase to the Capital Projects and Bond Oversight Committee at least fourteen (14) days prior to the committee meeting. The proposal shall include:

(a) The multiyear use allowance specified in the judicial branch budget bill or memorandum;

(b) The proposed increase in the use allowance;

(c) The reasons and necessity for the proposed increase;

(d) A statement as to whether or how the proposed use of funds conforms with

the requirements of the law; and

(e) Any other information that the committee requests.

(2) Within thirty (30) days after receiving a proposal to increase the use allowance, the Capital Projects and Bond Oversight Committee shall either approve or disapprove the proposal and shall then promptly notify the director of the Administrative office of the Courts of its decision.

(3) If the Capital Projects and Bond Oversight Committee disapproves the proposal, the director of the Administrative Office of the Courts shall take one (1) of the following actions and shall notify the committee of its decision in writing within thirty (30) days of receiving the committee's notice of disapproval:

(a) Revise the proposal to comply with the committee's objections;

(b) Cancel and take no further action on the proposal; or

(c) Determine to implement the proposal over the committee's objection.

(4) The Administrative Office of the Courts shall report to the Capital Projects and Bond Oversight Committee within thirty (30) days of any action taken by the Court of Justice to approve a scope increase of a project within a pool which would increase the use allowance for that project.

(5) The Capital Projects and Bond Oversight Committee shall maintain records of proposals, findings, decisions, and actions taken under this section. When appropriate, the committee shall provide this information to other legislative committees or to the General Assembly.

**Effective:** July 14, 2000

**History:** Created 2000 Ky. Acts ch. 496, sec. 5, effective July 14, 2000.

#### **26A.168 Reports on status of court facilities projects and contingency fund.**

(1) The Administrative Office of the Courts shall provide to the Capital Projects and Bond Oversight Committee, at the committee's January, April, July, and October regular meetings, a status report on the progress of all incomplete court facilities projects. For each project, the status report shall include:

(a) The project title;

(b) The county in which the project is located;

(c) The scope and use allowance authorized for the project in the judicial branch budget and budget memorandum, and any increases to the scope or use allowance under KRS 26A.164;

(d) The current status of the project;

(e) An explanation of any delay or major change in the project; and

(f) Any other information that the committee requests.

(2) On August 1 of each year, the Administrative Office of the Courts shall prepare a financial report on the court facility use allowance contingency fund for the fiscal year ending on June 30 of that year. The report shall include, with explanations, allotments, expenditures, encumbrances, and the available balance.

**Effective:** July 14, 2000

**History:** Created 2000 Ky. Acts ch. 496, sec. 6, effective July 14, 2000.

#### **147A.021 Department for Local Government -- Powers and duties.**

(1) The Department for Local Government shall have the following powers and duties:

(a) To require any reports from local governments that will enable it adequately to provide the technical and advisory assistance authorized by this section.

(b) To encourage, conduct, or participate in training courses in procedures and practices for the benefit of local officials, and in connection therewith, to cooperate with associations of public officials, business and professional organizations, university faculties, or other specialists.

(c) To request assistance and information, which shall be provided by all departments, divisions, boards, bureaus, commissions, and other agencies of state government to enable the department to carry out its duties under this section.

(d) At its discretion, to compile and publish annually a report on local government.

(2) The Department for Local Government shall coordinate for the Governor the state's responsibility for, and shall be responsible for liaison with the appropriate state and federal agencies with respect to, the following programs:

(a) Demonstration cities and metropolitan development act as amended with the exception of Title I of the Housing and Community Development Act of 1974 as amended through 1981;

(b) Farmers Home Administration;

(c) Veterans Administration Act as amended, as it pertains to housing.

(3) The Department for Local Government shall provide technical assistance and information to units of local government, including but not limited to:

(a) Personnel administration;

(b) Ordinances and codes;

(c) Community development;

(d) Appalachian Regional Development Program;

(e) Economic Development Administration Program;

(f) Intergovernmental Personnel Act Program;

(g) Land and Water Conservation Fund Program;

(h) Area Development Fund Program;

(i) Gas System Restoration Project;

(j) Joint Funding Administration Program;

(k) State clearinghouse for A-95 review;

(l) The memorandums of agreement with the area development districts to provide management assistance to local governments; and

(m) The urban development office.

(4) The Department for Local Government shall exercise all of the functions of the state local finance officer provided in KRS Chapters 66, 68, and 131 relating to the control of funds of counties, cities, and other units of local government.

(5) Upon request of the Administrative Office of the Courts, the Department for Local Government shall evaluate the financial condition of any local unit of government selected to participate in a court facilities construction or renovation project under KRS 26A.160 and shall certify to the Administrative Office of the Courts the local unit of government's ability to participate in the project.

**Effective:** July 14, 2000

**History:** Amended 2000 Ky. Acts ch. 496, sec. 7, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 69, sec. 54, effective July 15, 1998. -- Amended 1994 Ky. Acts

ch. 508, sec. 46, effective July 15, 1994. -- Amended 1984 Ky. Acts ch. 183, sec. 1, effective July 13, 1984. -- Created 1982 Ky. Acts ch. 396, sec. 13, effective July 15, 1982.

**66.480 Investment of public funds -- Limitations --  
Written investment policy --  
Duties of state local debt officer -- Investment pool.**

(1) The governing body of a city, county, urban-county, charter county, school district (provided that its general procedure for action is approved by the Kentucky Board of Education), or other local governmental unit or political subdivision, may invest and reinvest money subject to its control and jurisdiction in:

(a) Obligations of the United States and of its agencies and instrumentalities, including obligations subject to repurchase agreements, if delivery of these obligations subject to repurchase agreements is taken either directly or through an authorized custodian. These investments may be accomplished through repurchase agreements reached with sources including, but not limited to, national or state banks chartered in Kentucky;

(b) Obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States or a United States government agency, including but not limited to:

1. United States Treasury;
2. Export-Import Bank of the United States;
3. Farmers Home Administration;
4. Government National Mortgage Corporation;

and

5. Merchant Marine bonds;

(c) Obligations of any corporation of the United States government, including but not limited to:

1. Federal Home Loan Mortgage Corporation;
2. Federal Farm Credit Banks;
3. Bank for Cooperatives;
4. Federal Intermediate Credit Banks;
5. Federal Land Banks;
6. Federal Home Loan Banks;
7. Federal National Mortgage Association; and
8. Tennessee Valley Authority;

(d) Certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation or similar entity or which are collateralized, to the extent uninsured, by any obligations, including surety bonds, permitted by KRS 41.240(4);

(e) Uncollateralized certificates of deposit issued by any bank or savings and loan institution rated in one (1) of the three (3) highest categories by a nationally recognized rating agency;

(f) Bankers' acceptances for banks rated in one (1) of the three (3) highest categories by a nationally recognized rating agency;

(g) Commercial paper rated in the highest category by a nationally recognized rating agency;

(h) Bonds or certificates of indebtedness of this state and of its agencies and instrumentalities;

(i) Securities issued by a state or local government, or any instrumentality of agency thereof, in the United States, and rated in one (1) of the three (3) highest categories by a nationally recognized rating agency; and

(j) Shares of mutual funds, each of which shall have the following characteristics:

1. The mutual fund shall be an open-end diversified investment company registered under the Federal Investment Company Act of 1940, as amended;

2. The management company of the investment company shall have been in operation for at least five (5) years; and

3. All of the securities in the mutual fund shall be eligible investments pursuant to this section.

(2) The investment authority provided by subsection (1) of this section shall be subject to the following limitations:

(a) The amount of money invested at any time by a local government or political subdivision in one (1) or more of the categories of investments authorized by subsections (1)(e), (f), (g), and (i) of this section shall not exceed twenty percent (20%) of the total amount of money invested by the local government; and

(b) No local government or political subdivision shall purchase any investment authorized by subsection (1) on a margin basis or through the use of any similar leveraging technique.

(3) The governing body of every local government or political subdivision that invests or reinvests money subject to its control or jurisdiction according to the provisions of subsection (1) of this section shall by January 1, 1995, adopt a written investment policy that shall govern the investment of funds by the local government or political subdivision. The written investment policy shall include, but shall not be limited to the following:

(a) A designation of the officer or officers of the local government or political subdivision who are authorized to invest and oversee the investment of funds;

(b) A list of the permitted types of investments;

(c) Procedures designed to secure the local government's or political subdivision's financial interest in the investments;

(d) Standards for written agreements pursuant to which investments are to be made;

(e) Procedures for monitoring, control, deposit, and retention of investments and collateral;

(f) Standards for the diversification of investments, including diversification with respect to the types of investments and firms with whom the local government or political subdivision transacts business;

(g) Standards for the qualification of investment agents which transact business with the local government, such as criteria covering

creditworthiness, experience, capitalization, size, and any other factors that make a firm capable and qualified to transact business with the local government or political subdivision; and

(h) Requirements for periodic reporting to the governing body on the status of invested funds.

(4) Sheriffs, county clerks, and jailers, who for the purposes of this section shall be known as county officials, may, and at the direction of the fiscal court shall, invest and reinvest money subject to their control and jurisdiction, including tax dollars subject to the provisions of KRS 134.300, 134.320, and 160.510, as permitted by this section.

(5) The provisions of this section are not intended to impair the power of a county official, city, county, urban-county, charter county, school district, or other local governmental unit or political subdivision to hold funds in deposit accounts with banking institutions as otherwise authorized by law.

(6) The governing body or county official may delegate the investment authority provided by this section to the treasurer or other financial officer or officers charged with custody of the funds of the local government, and the officer or officers shall thereafter assume full responsibility for all investment transactions until the delegation of authority terminates or is revoked.

(7) All county officials shall report the earnings of any investments at the time of their annual reports and settlements with the fiscal courts for excess income of their offices.

(8) The state local debt officer is authorized and directed to assist county officials and local governments (except school districts) in investing funds that are temporarily in excess of operating needs by:

(a) Explaining investment opportunities to county officials and local governments through publication and other appropriate means; and

(b) Providing technical assistance in investment of idle funds to county officials and local governments that request that assistance.

(9) (a) The state local debt officer may create an investment pool for local governments (except school districts) and county officials; and counties and county officials and cities may associate to create an investment pool. If counties and county officials and cities create a pool, each group may select a manager to administer their pool and invest the assets. Each county and each county official and each city may invest in a pool created pursuant to this subsection. Investments shall be limited to those investment instruments permitted by this section. The funds of each local government and county official shall be properly accounted for, and earnings and charges shall be assigned to each participant in a uniform manner according to the amount invested. Charges to any local government or county official shall not exceed one percent (1%) annually on the principal amount invested, and charges on investments of less than a year's duration shall be

prorated. Any investment pool created pursuant to this subsection shall be audited each year by an independent certified public accountant, or by the Auditor of Public Accounts. A copy of the audit report shall be provided to each local government or county official participating in the pool. In the case of an audit by an independent certified public accountant, a copy of the audit report shall be provided to the Auditor of Public Accounts, and to the state local debt officer. The Auditor of Public Accounts may review the report of the independent certified public accountant. After preliminary review, should discrepancies be found, the Auditor of Public Accounts may make his own investigative report or audit to verify the findings of the independent certified public accountant's report.

(b) If the state local debt officer creates an investment pool, he shall establish an account in the Treasury for the pool. He shall also establish a separate trust and agency account for the purpose of covering management costs, and he shall deposit management charges in this account. The state local debt officer may issue regulations, pursuant to KRS Chapter 13A, governing the operation of the investment pool, including but not limited to provisions on minimum allowable investments and investment periods, and method and timing of investments, withdrawals, payment of earnings, and assignment of charges.

(c) Before investing in an investment pool created pursuant to this subsection, a local government or county official shall allow any savings and loan association or bank in the county, as described in subsection (1)(d) of this section, to bid for the deposits, but the local government or county official shall not be required to seek bids more often than once in each six (6) month period.

(10) (a) With the approval of the Kentucky Board of Education, local boards of education, or any of them that desire to do so, may associate to create an investment pool. Each local school board which associates itself with other local school boards for the purpose of creating the investment pool may invest its funds in the pool so created and so managed. Investments shall be limited to those investment instruments permitted by this section. The funds of each local school board shall be properly accounted for, and earnings and charges shall be assigned to each participant in a uniform manner according to the amount invested. Charges to any local school board shall not exceed one percent (1%) annually on the principal amount invested, and charges on investments of less than a year's duration shall be prorated. Any investment pool created pursuant to this subsection shall be audited each year by an independent certified public accountant, or by the Auditor of Public Accounts. A copy of the audit report shall be provided to each local school board participating in the pool. In the case of an audit by an independent certified public accountant, a copy of the audit report shall be provided to the Auditor of Public Accounts, and to the Kentucky Board of Education. The Auditor of Public Accounts may review the report

of the independent certified public accountant. After preliminary review, should discrepancies be found, the Auditor of Public Accounts may make his own investigative report or audit to verify the findings of the independent certified public accountant's report.

(b) The Kentucky Board of Education may issue administrative regulations governing the operation of the investment pool including, but not limited to, provisions on minimum allowable investments and investment periods, and methods and timing of investments, withdrawals, payment of earnings, and assignment of charges.

**Effective:** July 15, 1998

**History:** Amended 1998 Ky. Acts ch. 554, sec. 3, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 362, sec. 6, effective July 15, 1996. -- Amended 1994 Ky. Acts ch. 275, sec. 1, effective July 15, 1994; and ch. 508, sec. 39, effective July 15, 1994. -- Amended 1990 Ky. Acts ch. 291, sec. 2, effective July 13, 1990; and ch. 476, Pt. V, sec. 298, effective July 13, 1990. -- Amended 1988 Ky. Acts ch. 393, sec. 3, effective July 15, 1988. -- Amended 1986 Ky. Acts ch. 261, sec. 1, effective July 1, 1986. -- Amended 1982 Ky. Acts ch. 57, sec. 1, effective March 9, 1982. -- Created 1966 Ky. Acts ch. 205, sec. 1.

**Legislative Research Commission Note (7/15/94).**

This section was amended by 1994

Ky. Acts chs. 275 and 508. Where these Acts are not in conflict, they have been codified together. In cases where stylistic changes made in Acts ch. 508 conflict with substantive changes in Acts ch. 275, the provisions of Acts ch. 275 have prevailed. Cf. KRS 7.123(1).

#### **58.180 Creation of nonprofit corporation to act as an instrumentality of governmental agency in the financing of public projects.**

(1) (a) As used herein, the term "public project" shall have the same meaning as ascribed to such term by KRS 58.010, and the term "public project" shall include, inter alia, but not by way of limitation, public facilities such as sewers, sewage treatment works, water systems, streets, sidewalks and other public ways, both vehicular and pedestrian, parks and recreational and sports facilities, hospitals and health facilities, educational facilities, drainage and reclamation projects, jails, municipal buildings, public docks, wharves and port facilities, solid waste disposal facilities, pollution control systems, mass commuting and transport systems, industrial parks, courthouses and other public buildings, public parking and garage facilities, and other edifices, projects and like things and objects intended for governmental and public purposes.

(b) As used herein, the term "governmental agency" shall mean any division of the Commonwealth which is a municipal corporation and political subdivision of

the Commonwealth of Kentucky, or to which has been delegated the right to exercise part of the sovereign power of the Commonwealth.

(2) Any governmental agency may create a nonprofit corporation pursuant to the provisions of KRS 273.161 to 273.390, inclusive, to act as the agency and instrumentality and the constituted authority of such governmental agency in the acquisition and financing of any public project which may be undertaken by such governmental agency pursuant to the provisions of Kentucky law and thus accomplish a public purpose of such governmental agency. Such corporation, upon direction of such governmental agency, shall be authorized to issue its bonds, notes or other obligations on behalf of such governmental agency for the acquisition and financing of one or more public projects on behalf of such governmental agency, and may pledge for the amortization of such bonds, notes or other obligations all revenues derived from the operation of such public project or public projects, including specifically all revenues derived from the leasing of such public project or public projects directly to the governmental agency upon whose behalf and upon whose direction such bonds, notes or other obligations are issued. Provided, however, that no bonds or other obligations shall be authorized under the provisions of this chapter for the construction or acquisition of telephone, gas or electric facilities.

(3) It shall be provided in any such financing (i) that upon the retirement and discharge of the bonds, notes or other obligations issued by such corporation at the direction of and on behalf of such governmental agency, title to the public project or public projects so acquired shall vest in such governmental agency; (ii) that in the event of default with respect to such bonds, notes or other obligations, the governmental agency shall have the exclusive option to acquire the public project or public projects for the amount required to discharge such bonds, notes or other obligations, and is provided a reasonable time to exercise such option; (iii) that the issuance of such bonds, notes or other obligations shall be directed by and approved by such governmental agency not more than sixty (60) days prior to the date of issue of such obligations; and (iv) that no bonds, notes or other obligations shall be issued by such corporation for and on behalf of such governmental agency except upon express direction of such governmental agency.

(4) Any governmental agency creating a corporation pursuant to this section to act for and on behalf of, and as the agency and instrumentality of, such governmental agency in the acquisition and financing of a public project or public projects shall, at all times either (i) exercise organizational control over such corporation by creating the corporation pursuant to this section, and retain authority at any and all times to alter or change the structure, organization, programs or activities of the corporation, including the power to terminate existence of the corporation, subject to any limitation on the impairment of contracts entered into by such corporation, or shall (ii) exercise supervisory

control over such corporation as may be deemed proper by the governmental agency in the administration of the corporation's activities as a constituted authority of such governmental agency, and as may be required from time to time by federal law in order to qualify the corporation to issue bonds, notes or other obligations on behalf of the governmental agency.

(5) It shall be provided, inter alia, in the articles of incorporation of any such corporation and constituted authority created to act as the agency and instrumentality of a governmental agency and to finance public projects for such governmental agency on its behalf and thereby accomplish a public purpose of such governmental agency, (i) that any net revenues of such corporation beyond those necessary for retirement of indebtedness, or implementation of the public purpose or purposes of the corporation and the governmental agency shall not inure to the benefit of any person other than the governmental agency; (ii) that upon dissolution of the corporation, title to all property owned by such corporation shall vest in the governmental agency; and (iii) that the corporation shall be created and operated solely and only to accomplish one or more of the public purposes of the governmental agency and for the acquisition and financing of public projects for and on behalf of such governmental agency.

(6) The governing body of such corporation shall consist solely and only of the following individuals:

(a) Public officials of the governmental agency as ex officio members; or

(b) Persons appointed by the governmental agency or by public officials of the governmental agency.

**History:** Created 1976 Ky. Acts ch. 334, sec. 1.

#### **424.120 Qualifications of newspapers.**

(1) Except as provided in subsection (2) of this section, if an advertisement for a publication area is required by law to be published in a newspaper, the publication shall be made in a newspaper that meets the following requirements:

(a) It shall be published in the publication area. A newspaper shall be deemed to be published in the area if it maintains its principal office in the area for the purpose of gathering news and soliciting advertisements and other general business of newspaper publications, and has a second-class mailing permit issued for that office. A newspaper published outside of Kentucky shall not be eligible to carry advertisements for any county or publication area within the county, other than for the city in which its main office is located, if there is a newspaper published in the county that has a substantial general circulation throughout the county and that otherwise meets the requirements of this section; and

(b) It shall be of regular issue and have a bona fide circulation in the publication area. A newspaper shall be deemed to be of regular issue if it is published regularly, as frequently as once a week, for at least

fifty (50) weeks during the calendar year as prescribed by its mailing permit, and has been so published in the area for the immediately preceding two (2) year period. A newspaper meeting all the criteria to be of regular issue, except publication in the area for the immediately preceding two (2) year period, shall be deemed to be of regular issue if it is the only paper in the publication area and has a paid circulation equal to at least ten percent (10%) of the population of the publication area. A newspaper shall be deemed to be of bona fide circulation in the publication area if it is circulated generally in the area, and maintains a definite price or consideration not less than fifty percent (50%) of its published price, and is paid for by not less than fifty percent (50%) of those to whom distribution is made; and

(c) It shall bear a title or name, consist of not less than four (4) pages without a cover, and be of a type to which the general public resorts for passing events of a political, religious, commercial, and social nature, and for current happenings, announcements, miscellaneous reading matter, advertisements, and other notices. The news content shall be at least twenty-five percent (25%) of the total column space in more than one-half (1/2) of its issues during any twelve (12) month period.

(d) If, in a publication area there is more than one (1) newspaper which meets the above requirements, the newspaper having the largest bona fide paid circulation as shown by the average number of paid copies of each issue as shown in its published statement of ownership as filed on October 1 for the publication area shall be the newspaper where advertisements required by law to be published shall be carried.

(e) For the purposes of KRS Chapter 424, publishing shall be considered as the total recurring processes of producing the newspaper, embracing all of the included contents of reading matter, illustrations, and advertising enumerated in paragraphs (a) through (d) of this subsection. A newspaper shall not be excluded from qualifying for the purposes of legal publications as provided in this chapter if its printing or reproduction processes take place outside the publication area.

(2) (a) If, in the case of a publication area smaller than the county in which it is located, there is no newspaper published in the area, the publication shall be made in a newspaper published in the county that is qualified under this section to publish advertisements for the county. If the qualified newspaper publishes a zoned edition which is distributed to regular subscribers within the publication area, any advertisement required by law to be published in the publication area may be published in the zoned edition distributed in that area.

(b) If, in any county there is no newspaper meeting the requirements of this section for publishing advertisements for that county, any advertisements required to be published for the county or for any publication area within the county shall be published in a newspaper of the largest bona fide circulation in

that county published in and qualified to publish advertisements for an adjoining county in Kentucky. This subsection is intended to supersede any statute that provides or contemplates that newspaper publication may be dispensed with if there is no newspaper printed or published or of general circulation in the particular publication area.

(3) If a publication area consists of a district, other than a city, which extends into more than one (1) county, the part of the district in each county shall be considered to be a separate publication area for the purposes of this section, and an advertisement for each separate publication area shall be published in a newspaper qualified under this section to publish advertisements for the area.

**Effective:** July 14, 1992

**History:** Amended 1992 Ky. Acts ch. 9, sec. 2, effective July 14, 1992. -- Amended 1984 Ky. Acts ch. 201, sec. 1, effective July 13, 1984. -- Amended 1982 Ky. Acts ch. 180, sec. 1, effective July 15, 1982; and ch. 430, sec. 3, effective July 15, 1982. -- Amended 1960 Ky. Acts ch. 168, sec. 1. -- Created 1958 Ky. Acts ch. 42, s

### SECTION III. Summary of Federal Statutes

**American Indian Religious Freedom Act.** The American Indian Religious Freedom Act of 1978 (AIRFA) states the policy of the United States to protect and preserve for American Indians, Eskimos, Aleuts, and native Hawaiians their inherent rights of freedom to believe, express, and exercise traditional religions. These rights include, but are not limited to, access to sites, use and possession of sacred objects, and freedom to worship through ceremony and traditional rites. They also include the right of tribal leadership to be consulted by federal agencies before burial sites that appear to relate to tribal ancestors are disturbed by agency projects. Regulations implementing AIRFA are located at 43 CFR Part 7.

**Archeological Resources Protection Act.** The ARPA prohibits the removal, sale, receipt, and interstate transportation of archeological resources obtained illegally (without permits) from public or Indian lands and authorizes agency permit procedures for investigations of archeological resources on public lands under the agency's control. The law requires that the Secretaries of the Interior, Agriculture, and Defense and their respective employees and agents develop plans for surveying the lands under their control. Their tasks are to determine the nature and extent of archeological resources, to prepare a schedule for surveying those lands which are likely to contain the most scientifically valuable archeological resources, and to develop documents for reporting suspected violations of the ARPA. The ARPA requires the issuance of permits for authorized professional excavation or removal of archaeological resources. The ARPA imposes civil and criminal penalties for unauthorized excavation, removal, damage, alteration, or defacement of archeological resources or attempt to perform such unauthorized acts. Implementing regulations of the ARPA are contained in 18 CFR Part 1312, 32 CFR Part 229, 36 CFR Part 296, and 43 CFR Part 7.

**Clean Air Act.** The Clean Air Act (CAA) controls the emission of pollutants into the atmosphere. Under the CAA, EPA has established national air standards. These standards, which express concentrations of designated pollutants, are called the National Ambient Air Quality Standards (NAAQS). The NAAQS, uniformly applied throughout the Nation, are time-averaged concentrations of the specified pollutants that cannot be exceeded in the ambient air more than a specified number of times. Standards have been established for the pollutants sulfur dioxide, carbon monoxide, ozone, nitrogen oxides, lead, and inhalable particulate matter. The NAAQS are to be achieved

by the states through state implementation plans, which provide for limitations, schedules, and timetables for compliance with NAAQS by stationary sources and transportation control plans for mobile sources.

Amendments to the Clean Air Act in 1990 introduced, at Section 176© of the act, a requirement that "[N]o department, agency, or instrumentality of the Federal Government shall engage in, support in any way, or provide financial assistance for, license or permit, or approve any activity which does not conform to an implementation plan approved or promulgated. The assurance of conformity shall be an affirmative responsibility of the head of such department, agency, or instrumentality." Conformity to an implementation plan means conformity to an implementation plan's purpose of eliminating or reducing the severity and number of violations of the NAAQS and achieving expeditious attainment of such standards. It further refers to conducting activities so that they will not cause or contribute to any new violation of any standard in any area, increase the frequency or severity of any existing violation of any standards in any area, or delay timely attainment of any standard of any required interim emission reductions or other milestone in any area. Regulations regarding determining conformity of general federal actions to implementation plans appear at 40 CFR Parts 51 and 93.

**Clean Water Act.** Since major amendments in 1977, the Federal Water Pollution Control Act has been known as the Clean Water Act (CWA). This statute, which seeks to restore and maintain the chemical, physical, and biological integrity of the Nation's waters, identifies certain pollutants and sets required treatment levels for those pollutants. The CWA addresses both point source and nonpoint source discharges. Point sources are distinct entities that discharge wastewater with pollutants into rivers or lakes through distinct conveyances such as pipes, ditches, or canals. Nonpoint sources are those which do not discharge wastewater from a discrete conveyance (e.g., agricultural lands, construction sites, parking lots, streets).

Section 402 of the CWA establishes the National Pollutant Discharge Elimination System (NPDES) program. NPDES permits are required for all point source discharges to waters of the United States, including discharges of stormwater associated with industrial activities.

Section 404 of the Clean Water Act contains provisions for protection of wetlands and establishes a permitting process for activities having potential



effects in wetland areas. Wetlands and riverine and open-water systems are considered waters of the United States under section 404 and, as such, fall under the regulatory jurisdiction of the USACE. The USACE's definition of waters of the United States includes all interstate waters and lakes, as well as rivers, streams, mudflats, sandflats, sloughs, prairie potholes, wet meadows, and other wetland communities. Section 404 regulates the discharge of dredge or fill into wetlands, or other waters of the United States, and requires sequencing for proposed impacts. Sequencing requires the avoidance of wetland losses, minimization of impacts, and replacement of unavoidable losses. All development activities that might involve impacts on wetlands, through dredging and filling, require consultation with the USACE. If a given wetland is determined to meet the regulatory definition, either a nationwide permit is issued or an individual permit application is required, depending on the development proposal for fill or land disturbance activities.

Section 401 of the Clean Water Act addresses water quality certification and authorizes the review and conditioning, approval, or denial of federal permits or licenses that might result in discharges to waters of the United States.

**Community Environmental Response Facilitation Act.** In October 1992, Congress amended Section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) with the Community Environmental Response Facilitation Act (CERFA)(Public Law 102-426). CERFA establishes new requirements for contamination assessment, cleanup, and regulatory agency notification and concurrence for federal facility transfers.

CERFA requires federal agencies to identify uncontaminated parcels, with regulatory concurrence. It allows transfer by deed of remedied parcels at the point when successful operation of an approved remedy has been demonstrated to EPA.

CERFA requires that the identification consider petroleum products as well as CERCLA hazardous substances. For property that is part of a facility listed on the National Priorities List, the identification cannot be considered complete until the EPA Administrator concurs. For real property not on the National Priorities List, the identification cannot be considered complete until the state concurs.

The law requires an agency transferring parcels identified as uncontaminated to provide a covenant that any response action or corrective action found necessary will be undertaken by the United States. The deed for such parcels must also provide for a right of access to perform any additional response

action, including appropriate investigations. CERFA's objective is to identify real property where no CERCLA-regulated hazardous substances or petroleum products were disposed of or released.

**Comprehensive Environmental Response, Compensation, and Liability Act.** CERCLA, better known as Superfund, addresses cleanup of past hazardous substance sites that pose threats to human health or the environment. The Superfund Amendments and Reauthorization Act of 1986 (SARA) expanded applicability of this law to federal facilities. SARA provides procedures to clean up toxic or hazardous substances at closed or abandoned hazardous substance sites.

Procedures for conducting cleanup are governed by the National Oil and Hazardous Substances Pollution Contingency Plan. Major steps in the cleanup process include preliminary assessment and site investigations of hazardous substance releases, remedial investigation and preparation of feasibility studies for cleanup, a ROD for selecting among cleanup alternatives, and design of remedial measures and implementation of remedial action. The process includes creation and maintenance of an administrative record for public review and notices to the public for review and comment at major junctures.

**Endangered Species Act.** Under the ESA the Commonwealth of Kentucky (by statute) is required to conserve biological or wildlife species that have been federally listed as endangered or threatened. All federal agencies must consult with the U.S. Fish and Wildlife Service (USFWS) to ensure that any actions authorized, funded, or carried out by the agencies are not likely to jeopardize the continued existence of any endangered or threatened species or to result in the destruction of or substantial damage to its critical habitat. This consultation, deriving from Section 7 of the act, is often referred to as the Section 7 consultation process. While this consultation is in progress, an agency must not make an irretrievable commitment of resources to its project. A consultation typically leads to the USFWS's suggestion of alternatives or mitigating measures that can be incorporated into the project, thereby allowing its completion.

The ESA prohibits the taking of endangered fish and wildlife species. Taking includes harassing, harming, pursuing, hunting, shooting, wounding, killing, trapping, capturing, collecting, or attempting to do any of these things. With respect to the taking of endangered plants, it is prohibited to remove or reduce to one's possession any listed species. Under the ESA, the Secretary of the Interior issues regulations to conserve threatened species.

Amendments to the ESA in 1982 allow the Secretary of the Interior to approve "incidental" taking of listed species if, after notice and comment, the Secretary finds that the taking will be incidental, the applicant will exert maximum effort to minimize and mitigate the effects of taking, the applicant will ensure adequate funding for the plan, and the taking will not appreciably reduce the likelihood of survival and recovery of the species in the wild.

**Migratory Bird Treaty Act.** The MBTA (16 U.S.C. 703-712) and its implementing regulations make it unlawful for any person to take (i.e., pursue, hunt, shoot, wound, trap, capture, or collect) any migratory bird without first receiving a permit to do so. Take, under the MBTA, does not include "harass" or "harm" as in the Endangered Species Act and pertains predominately to actions involving the deliberate killing or collecting of species (i.e., not destruction of habitat). The USFWS is responsible for issuing take permits and for enforcing the MBTA and its implementing regulations. Although the MBTA does not provide for incidental take of migratory birds, it does authorize the USFWS to issue "special purpose" permits. These permits are required before any person can lawfully take or otherwise possess migratory birds, their parts, nests, or eggs for any purpose not otherwise covered by the general permit regulations. The USFWS does not have an official policy governing issuance of such permits to federal agencies.

**National Environmental Policy Act (NEPA).** Public Law 91-190, passed by Congress in 1969, established a national policy designed to encourage consideration of the influence of human activities on the natural environment. NEPA also established the Council on Environmental Quality. NEPA procedures require that environmental information be made available to the public before decisions are made.

**National Historic Preservation Act (NHPA).** Implemented by the State Historic Preservation Officer (SHPO). The NHPA protects buildings, sites, districts, structures, and objects that have significant scientific, historic, or cultural value. The act establishes affirmative responsibilities to preserve historic and prehistoric resources. Effects on properties that are on, or eligible for, the National Register of Historic Places must be taken into account in planning and operations. Any property that may qualify for inclusion on the National Register of Historic Places must not be inadvertently transferred, sold, demolished, substantially altered, or allowed to deteriorate.

National Register of Historic Places criteria are those qualities of significance in American history,

architecture, engineering, archeology, and culture present in districts, sites, buildings, structures, and objects of state, local, regional, or national importance. These properties possess integrity of location, design, setting, materials, workmanship, feeling, and association.

Fulfillment of the purposes of the NHPA is assisted through coordination with the Advisory Council on Historic Preservation (ACHP) and with the State Historic Preservation Officer (SHPO).

**Resource Conservation and Recovery Act.** Under the Resource Conservation and Recovery Act (RCRA), EPA defines those substances which are hazardous and regulates their generation, treatment, storage, transportation, and disposal. EPA also establishes technical and performance requirements for hazardous substance management units and exercises responsibility over a permit system for hazardous substance management facilities. RCRA is also the source for regulations pertaining to solid waste management and underground storage tank management.





Administrative Office of the Courts  
Melinda L. Wheeler, Director  
Court Facilities Department  
Garlan VanHook, AIA, General Manager  
100 Millcreek Park • Frankfort, Kentucky 40601  
502-573-2350 or 800-928-2350  
[www.kycourts.net](http://www.kycourts.net)